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Assessment of the Impact of EU Enlargement and Implementation of the Schengen Treaty in CEE countries on Ukraine

Enlargement of the EU, which is to take place in 2004, will draw a new line of division on the continent-between the united Europe and the states that remain outside of it. EU accession of CEE countries will result in the disappearance of an area of free flow of persons, goods, and services; what could have been considered an achievement in the region – freedom of movement of people – may become a thing of the past.

This issue focuses on policy in order to systematise the extant knowledge about the impact of the Schengen Treaty on EU candidate countries and their neighbours from the economic, social, and legal perspectives, in order to identify the likely consequences and recommend solutions regarding the future EU borders.

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The Schengen treaty: Consequences for national migration policy in Ukraine

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On 14 June 1985 Belgium, Germany, France, Luxembourg, and the Netherlands signed the Schengen Agreement, which stipulated the gradual elimination of border and customs controls on the borders of these territories. This was to be an intergovernmental agreement for all European Union countries, under the slogan “Europe without borders”. There were no details included in the treaty; the details were provided in the Convention Implementing the Schengen Agreement, which came into force on 19 June 1990 and was to be ratified by the parliaments of member states. The Convention was signed as an international public rights agreement, which specified the participating countries’ obligations but did not determine any rights or duties for citizens and organisations. Domestic laws could stipulate some exceptions, as specified in national constitutions or international law. The Convention is open to being joined by any EU country.

EU legislation is characterised by the so-called basic freedoms, which include free movement of goods, services, and capital, and movement of persons. It means that every EU citizen has the right to move freely within the EU; this applies to both

the free migration of workers and the establishment of business enterprises. According to the definition of this freedom, all citizens of EU member states are free to choose to reside in another EU state. After the Agreement on the European Economic Area (EEA) was promulgated, it was possible for EU states to embrace most of the European Free Trade Area (EFTA) countries, which also enjoy that kind of freedom.

After the Schengen Agreement comes into effect, borders between the states which are members of the agreement can be crossed by citizens of these states (and other citizens legally staying on their territory) without passport control. These privileges do not apply to the citizens of third countries. Simplification of border controls inside the Schengen area demands strict external border control. Effective 1 May 1999, the Schengen Protocol to the Treaty of Amsterdam incorporated Schengen cooperation into the framework of the EU.

Consequently, Ukrainian governmental institutions have recognised the priority of approximating national law to the corresponding European law insofar as simplification of border formalities.

Ukrainian regulations on migration and asylum, and their conformity to EU law

In any country, migration management involves two specific spheres—regulating

legal migration and counteracting illegal migration.

Legal migration

In Ukraine, legal aspects of migration management lie within the competence of the State Department for Nationalities and Migration, which functions within the Ministry of Justice of Ukraine. The department performs the following migration management tasks:

- shaping immigration and refugee policy;
- consideration of refugee and asylum seekers' cases, and those of illegal migrants for whom it is impossible to return to their countries of residence due to political or other reasons;
- provision of temporary accommodation for refugees during the time of investigation;
- assistance in the voluntary return of refugees and the development of programs for their integration or reintegration into Ukrainian society.

In addition, cooperation with the Ministry of Labour and Social Policy, Ministry of the Interior, Ministry of Healthcare, Ministry of Foreign Affairs, and the State Border Guard Committee of Ukraine enables refugees' and legal immigrants' problems to be resolved.

Presently, Ukraine possesses a well-developed system of legislation on migration management. In the last few years, the legislative basis for migration issues has been established in

full compliance with EU standards. Below is a list of positive changes in this field:

- adoption of the Law of Ukraine "On immigration" effective 7 June 2001;
- adoption of the Law of Ukraine "On refugees" effective 21 June 2001;
- ratification by a Law of Ukraine of the International Convention on Refugee Status dated 28 June 1951 and the Protocol of 1967, effective 10 January 2002;
- adoption of a new Law of Ukraine "On Ukrainian citizenship" effective 18 January 2001;
- amendment of the Law of Ukraine "On the legal status of foreigners".

In addition to these results, the following regulations address migration management issues: "On the state border of Ukraine" and "On the border guard forces of Ukraine", as well as the Administrative Code, decrees of the President of Ukraine, and resolutions and directives of the Cabinet of Ministers of Ukraine.

The Law of Ukraine "On immigration"

Adoption of the Law of Ukraine "On immigration" on 7 June 2001 was undoubtedly

positive in this context. This act specified the conditions and processes for the immigration of foreigners and persons without citizenship. The act defined the concepts of “immigration” and “immigrants”, as well as immigrant quotas and immigration control agencies in Ukraine.

Immigration is defined as the possibility for foreigners and persons without citizenship to enter or stay for permanent residence in Ukraine according to current legislation. An “immigrant” is defined as a foreigner or a person without citizenship who received permission for immigration and entered Ukraine for permanent residence or, being in Ukraine legally, received permission for immigration and stayed for permanent residence.

Said permission is granted within a fixed immigration quota, representing the maximum number of foreigners and persons without citizenship who are to be granted permission for immigration during a given calendar year.

The Ukrainian immigration quota is set for particular categories of immigrants by the Cabinet of Ministers:

- scientists and cultural workers, the immigration of whom meets the interests of Ukraine;
- highly qualified specialists and workers who are needed by Ukraine;
- foreigners who have invested in Ukraine’s economy a sum of money in hard currency valued at not less than 100,000 USD, registered according to procedures defined by the Cabinet of Ministers;
- persons who are of blood relation, such as brother and sister, grandfather and grandmother, grandson and granddaughter of Ukrainian citizens;
- persons who formerly possessed Ukrainian citizenship;

- parents, husband (wife) of the immigrant and their minor children;
- persons who have lived permanently in Ukraine for three years since the date they received refugee status or asylum while in Ukraine, as well as their parents, spouse, and minor children who live with them.

In certain cases, status can be granted beyond the immigration quota to the following categories of migrants:

- persons who have been married for more than two years and their spouse is a citizen of Ukraine, or a child or parent of a Ukrainian citizen;
- persons who are guardians of Ukrainian citizens or are in custody of Ukrainian citizens;
- persons who have a proven right to Ukrainian citizenship;
- persons whose immigration can be of interest to Ukraine.

Permission for immigration is not granted to:

- persons sentenced to terms of more than 1 year of imprisonment for actions which are defined as offences by Ukrainian law, if said sentence is not repealed by law;
- persons who have committed crimes against peace, humanity, humanism, or military crime as specified in international law, or are wanted for actions defined as felonies by Ukrainian law, or who are prosecuted while the previous case is not closed;
- persons who are chronic alcoholics, drug addicts, or infected with a dangerous disease;
- persons who deliberately provided false information in their applications for

permission to immigrate, or who presented forged documents;

- persons who are not allowed to enter the country under Ukrainian law;
- persons in other cases, as defined by laws of Ukraine.

On 10 January 2002, the Verkhovna Rada of Ukraine ratified the Convention On Refugee Status dated 28 July 1951, as well as the Protocol of 1967.

The year 2001 saw significant changes in the migration legislation of Ukraine, when the updated Law of Ukraine “On refugees” was adopted (21 June 2001). It complies with the main international documents on human rights and the Constitution of Ukraine, which specify the granting of asylum to foreigners and persons without citizenship. The articles of the Universal Declaration of Human Rights were taken into consideration, as well.

The Law of Ukraine “On refugees” specifies the legal status of refugees in Ukraine, the procedure for granting, losing, and revoking refugee status, and guarantees for the protection of refugees by the government.

The updated Law of Ukraine “On refugees” outlines the conditions for acquiring refugee status in Ukraine, which may be granted for a certain period, while there are fears that a person can be prosecuted on the basis of race, religious confession, citizenship, social group, or political views; and when said person is outside the country of their citizenship and is not able to use the protection of this country or not willing to use this protection because of the reasons mentioned above (previously, in Ukraine refugee status was granted only for three months).

The new law considerably expands the rights of refugees, as well as of people who have received refugee status in Ukraine. People granted refugee status in Ukraine have equal rights with foreigners or people without citi-

zenship that are legally staying in Ukraine. Such people enjoy the same rights and freedoms and have the same responsibilities as citizens of Ukraine, with exceptions as specified by the Constitution and acts of Ukraine, as well as international agreements agreed to be binding by the Verkhovna Rada of Ukraine (Ukrainian parliament).

Persons granted refugee status in Ukraine have equal rights with Ukrainian citizens who have marital and family rights. Persons granted refugee status in Ukraine have the right to receive financial aid, pensions, accommodation, or other kinds of social care, according to the procedure specified by the laws of Ukraine. This list is not exclusive; other additional rights can be defined by the legislation of Ukraine, but this list of rights is not subject to abridgement.

The new Law “On refugees” includes provisions stating that refugees cannot be extradited or forced to return to the country where their life and freedom are endangered by persecution for their social status, race, confession, nationality, citizenship, or political views (Article 3); and refugees are not to be prosecuted for illegal crossing of the state border.

However, like any other country in the world, Ukraine maintains a principle of not granting refugee status to persons who endanger peace and society, namely:

- persons who have committed crimes against peace, military crimes, or crimes against humanity and humanism, as stated in international law;
- persons who have committed grave felonies outside of Ukraine before entering the country with the purpose of obtaining refugee status, if such actions are considered to be grave felonies by the Criminal Code of Ukraine;
- persons who are guilty of actions which run counter to the purpose and principles of the United Nations;

- persons for whom it has been determined that the conditions specified by the second paragraph of Article 1 of the law are absent.

Also, status is not granted to persons who:

- before entering Ukraine were recognised as refugees or received asylum in another country;
- before entering Ukraine with the purpose of receiving refugee status stayed in a safe third country. This regulation does not affect children separated from their families, and those who were born or lived permanently in Ukraine, as well as their descendants (children and grandchildren).

In Ukraine, refugee status was granted to 3,040 people in 2001, which was more than in the neighbouring countries of Poland, Belarus, and Lithuania put together. Thus, it is natural that Ukraine faces a number of practical problems in providing them with accommodation and essentials, and also extraditing those not eligible for refugee status.

In 2001, refugees to Ukraine came from:

- Europe – 240, including:
Russia – 231
Bosnia-Herzegovina – 4
Yugoslavia – 4;
- Asia – 2,460, including:
Afghanistan – 1,635
Armenia – 245
Azerbaijan – 236
Iraq – 60
Syria – 49;
- Africa – 340, including:
Congo – 120
Sudan – 68
Angola – 36
Ethiopia – 35.

The majority of people seeking refugee status do so on the territory of Ukraine. They are cit-

izens of countries supplying illegal migrants who, having filed applications and obtained the status of refugee, attempt to cross the western Ukrainian border illegally, and lose their status. In 2001, more than 500 persons lost their refugee status in Ukraine.

Another problem consists in the fact that the majority of foreigners who apply for refugee status in Ukraine lives, as a rule, in other CIS countries; however, they did not apply for such status there. Having arrived in Ukraine, in general, they attempt in this way to become legalised, with the purpose of further penetrating to neighbouring EU countries.

Ukraine consults with other states, with the Office of the United Nations High Commissioner for Refugees (UNHCR), and with other international organisations towards the aim of eliminating refugee problems, improving their well-being and legal status, as well as returning refugees to their countries of citizenship or of previous permanent residence if the conditions under which they acquired refugee status cease to be valid.

In spite of the assistance of the UNHCR, Ukraine faces the problem of supplying refugees with accommodation and all necessary items for living. Moreover, the deportation of those who cannot receive the status of refugee in Ukraine is still unsettled.

The registration procedure for foreigners who legally arrive in Ukraine is set forth in Article 3 of the Law of Ukraine “On the legal status of foreigners”. Decree No. 435 of the President of Ukraine dated 5 July 2001 made possible the registration by the Ukrainian border guard of certain foreigners legally arriving in Ukraine only on the basis of the presentation of their passport documents at Ukrainian border checkpoints from 1 June 2001. This new rule fully complies with the conditions of the Schengen Agreement and aims at simplifying border control procedures.

Counteracting illegal migration

The Ministry of the Interior coordinates illegal migration control in Ukraine, in close cooperation with the State Border Guard Committee.

As has already been mentioned, in 2001 there were many successful amendments made to the Ukrainian legislation on migration policy, as well as to the legislation determining responsibility for illegal migration in Ukraine.

Liberalisation of the updated Criminal Code of Ukraine enabled to lessen the responsibility of illegal migrants for illicit border crossing; they are now considered to be victims of organised crime, namely, trafficking of third-country citizens to Western Europe. This offence now implies both administrative and criminal responsibility, but not necessarily imprisonment.

However, criminal responsibilities of persons involved in organising or assisting illegal crossing of the Ukrainian border include the forfeiture of assets acquired in the process of criminal activity (Article 332 of the Criminal Code).

Apart from these legislative acts, the Ukrainian side has prepared amendments to the current Ukrainian legislation on administrative offences that are designed to make more severe the responsibility for assisting illegal migrants (i.e., accommodation, transport). Responsibility includes having to pay fines in the amount of the assessed assistance. This measure is anticipated to have a positive impact on preventing such offences.

The Law of Ukraine "On responsibility for the air transportation across the border of Ukraine of passengers who have no proper documents" was adopted on 10 January 2002. This act fully complies with the regulations set forth in articles 3.40 and 3.40.1 of

Amendment 9, "Simplification of Formalities", to the Convention On International Civil Aviation, which specifies that airline companies hold responsibility for improper examination of foreign passenger documents. Responsibility of air transportation companies for the abovementioned offence is specified in the relevant legislation of many countries, including member states of the EU. Adopting this new legislation is provisional only in the case of complete adoption of the legal act to the EU. Ukrainian visa policy is determined by the criteria described below.

Today, visa-free entry on all types of passports is provided for citizens of countries which are adjacent with Ukraine, such as the Russian Federation and the Republic of Belarus. Visa-free mutual crossing of state borders is provided for countries such as Moldova, Poland, Romania, and Hungary. A visa regime is provided by Slovakia for "internal passports" [domestic identification documents]. A visa regime for crossing state borders is provided between Ukraine and the Republic of Bulgaria; it is based on an agreement between the governments of the two states on mutual trips between Ukrainian and Bulgarian citizens.

To ensure national security and regulate migration processes for suppliers of illegal migrants, Ukraine must monitor the actions of the following countries, as they are well known for being sources of illegal immigrants: Vietnam, Guinea, Iran, Croatia, Chile, and Yugoslavia.

It is in the national interests of Ukraine to become a member state of the EU, and thus to be able to exert some influence in the European arena. As a result of the EU expansion which is expected in the near future—Poland and Hungary joining the EU—Ukraine's borders will adjoin those of the EU, which in effect will create a new

geopolitical situation. In this regard, international political strategy must be determined clearly as to the integration of Ukraine into the European political, economic, and legal area, and should take into account different points of view.

The Cabinet of Ministers of Ukraine Resolution No. 490 dated 5 September 1997 states "On persons not holding visas entering Ukraine who are citizens of EU countries with diplomatic passports" are of a one-sided order provided from 01.12.97. In accordance with the above document, diplomatic passport bearers have a right to visit Ukraine

for 90 days without a visa. It also stipulates the creation of mutual visa-free regimes for Ukrainian diplomatic and government passport bearers entering EU countries.

Ukraine is not a supplier of illegal migrants. It has many times emphasised its European choice through its policy. That is why it is regarded that EU members and candidate countries must gradually change their visa policy towards Ukraine, thereby providing a visa-free regime for diplomatic and government passports bearers at first, and then for foreign officers and members of their families, etc.

Management of migration processes

The traditions and trends of European migration policies are reflected in Ukrainian legislation, mainly in the administration of migration management, which enforces national migration control legislation. In Ukraine, migration management is implemented only under Ukrainian laws.

The Ukrainian Cabinet of Ministers in its regulations stipulates cooperation with law enforcement and other executive agencies. Its mandate to enhance migration control efficiency includes by enforcing programs that define the procedures for setting immigration quotas every year, adopting programs for the prevention of trafficking in women and children, etc. The Ministry of the Interior of Ukraine is responsible for coordinating activities to preventing illicit migration.

At present, the creation of a unified organisation in charge of migration in Ukraine is being considered. Perhaps a central authority of the executive government should be specially created, based on one of the existing central executive bodies (Ministry of the Interior, State Border Guard Committee, or State Migration Committee).

Statistics concerning the number of people crossing the national border or illegal migrants are collected by the Border Forces

and the Ministry of Internal Affairs; all data are passed to the State Statistics Committee (Derzhkomstat).

During 2001, the Border Forces of Ukraine discovered 7,166 illegal migrants, coming from countries within Southeast Asia, the Middle East, and Africa (the list of countries is published by the MFA). The following is a breakdown of how these migrants were detained:

- 4,620 people during illegal crossing of the state border;
- 442 people on Ukrainian territory during transit;
- 2,104 people were not allowed to enter Ukraine.

Taking into consideration European approaches to the statistics on CIS citizens when they are considered to be illegal migrants and violate visitation rights, the number of illegal migrants revealed by the Border Forces was 7,525 in 2001. During attempts to illegally cross the Ukrainian borders with Poland, Slovakia, Hungary, and Romania, 359 persons who were citizens of Moldova as well as Central Asian and Caucasian regions of the CIS (Tajikistan,

Turkmenistan, Uzbekistan, Kirgizia, Kazakhstan, Azerbaijan, Georgia, and Armenia) were detained.

Agents of the Ministry of Internal Affairs of Ukraine (MIA) discovered 27,100 persons in 2001 who violated their visitation rights in Ukraine. They exceeded noticeably their allowed terms of stay, had no personal papers, and/or intended to illegally cross the state border.

In 2001, the Border Forces and MIA agencies of Ukraine discovered and charged 34,625 illegal migrants.

According to migration experts, and taking into consideration the inactivity of the international groups of peoples being smuggled, the real number of illegal migrants must be much greater. Additionally, the level of inactivity is not officially defined. According to specialists, it could be from 90% to 50% of minor violations in the are of drugs and weapons smuggling at the border.

Analysis of the temporary arrival of foreigners to Ukraine for studies, tourism, and personal affairs indicates that a certain number of foreigners do not leave Ukraine within the appointed term. As a result, they become illegal migrants who try to illegally cross the border in Western Ukraine with the aim of illegal migration to Western Europe. In January 2001, 2,220 foreigners who arrived in Ukraine to study committed such violations, and in January 2002 1,080 foreigners who arrived ostensibly for tourism were found to have stayed in Ukraine illegally.

According to analysts, about 20,000 foreigners annually use legal arrival into Ukraine for studying, tourism, or personal purposes actually plan for further illegal migration.

According to official statistics, in 2001 7% of foreigners who had arrived in Ukraine for temporary visits did not leave the country. More specifically, 272,000 were citizens of countries which are known to be the main suppliers of illegal migrants—in Southeast Asia, the Middle East, and Africa, as well as countries of Central Asia, the Caucasus regions of the CIS, and Moldova. It is possible that a certain number of them used official channels to enter Ukraine for further illegal transit to countries of Western Europe. These facts stipulate the need for quick establishment of a registration system for foreigners and their personal papers at ports of entry, and for the creation of corresponding electronic databases and so on.

National priorities in regulating migration processes should be as follows:

- completing the formation of a legislative base for adjustment of migration processes;
- formation and improvement of state authority systems which are competent in migration regulation;
- assistance for the repatriation of persons of Ukrainian origin who appeared to be away from Ukraine for various reasons;

Table 1. Information on the entry/departure of foreigners (1999–2001)

Entry/departure	Years			Total/Ave.
	1999	2000	2001	
Entered Ukraine	10,994,014	11,691,274	11,876,728	34,562,016
Left Ukraine	8,348,952	10,288,979	11,034,888	29,672,819
Didn't leave	2,645,062	1,402,295	841,840	4,889,197
Didn't leave (%)	24%	12%	7%	14%

Source: State Committee on Frontier Security of Ukraine

- assistance in returning or reintegrating into Ukraine of previously deported peoples;
- providing assistance to the state for ecological migrants;
- combating illegal (including transit) migration;
- assistance to refugees and immigrants.

At the national level, it is possible to do the following:

- Develop a National Migration Program for 2002–2005, which will be based on national interests, general norms and principles of international law and human rights protection, and the norms and principles of the European Union, and confirm it by a corresponding Law;
- Pay special attention to the regulation of all of forms of migration;
- Improve the coordination activity of central bodies of the executive government that regulate migration processes.

Table 2. Information on citizens of some countries of the world who officially entered Ukraine and departed from it in 1999–2001

Citizenship	Entered Ukraine			Total
	1999	2000	2001	1999–2001
Afghanistan	4,311	5,093	1,255	10,659
Armenia	40,284	35,185	15,549	91,018
Azerbaijan	35,054	32,920	15,427	83,401
Bangladesh	2,581	3,105	742	6,428
China	11,536	9,769	8,315	29,620
Georgia	44,653	40,466	16,097	101,216
India	6,001	6,739	5,507	18,247
Iran	4,259	2,659	2,884	9,802
Iraq	286	1,009	252	1,547
Kazakhstan	20,317	22,345	16,514	59,176
Kirgizia	7,605	8,667	4,457	20,729
Lebanon	4,564	3,073	3,562	11,199
Libya	847	1,325	1,083	3,255
Moldova	2,444,794	3,008,093	3,133,282	8,586,169
Pakistan	2,684	2,984	1,649	7,317
Somalia	14	182	17	213
Sri Lanka	941	1,592	717	3,250
Sudan	367	912	454	1,733
Syria	12,771	13,754	14,023	40,548
Tajikistan	3,840	5,962	3,534	13,336
Turkey	44,845	50,615	47,732	143,192
Turkmenistan	11,494	11,093	5,737	16,830
Uzbekistan	32,696	31,482	22,673	86,851
Vietnam	9,457	9,770	3,275	22,502
Total	2,746,210	3,308,794	3,324,737	4,127,150
Presumed number of person that didn't leave Ukraine properly	659,087	397,054	232,730	1,288,871

Source: State Committee on Frontier Security of Ukraine

As was mentioned above, there is a proposal to create a single state body that would be responsible for migration issues; however, we think that it is not advisable to combine law-enforcement and humanitarian functions in this sphere in one executive body.

Assistance is needed from humanitarian experts as well as appropriate financial support to create dormitories and places for detainment, and to resolve the problems of socioeconomic adaptation into society for refugees and other persons who have applied to receive Ukrainian citizenship.

At the same time, law-enforcement activity in the sphere of migration includes the determination of a person's status during their stay in Ukraine, the necessary provision with passport documents and identification cards, and influencing migration processes by administrative actions (permissions for granting temporary entry and per-

manent residence, employment, entry visas, control of the state borders, etc.).

The combination of humanitarian and law-enforcement functions in one body would lead to conflicts of interest during the consideration of the legal status of applying persons.

Such an approach to improve the system of authorities controlling the legal status of foreigners and their legal citizen applications is in keeping with the conception of administrative reforms in the country. This indicates that there is not a great need to make changes in legislation, or financial expenditures, and it is economically expedient. In addition, it would be possible to use the existing material and technical resource base—with the available regular potential of each of the abovementioned units, practical experience, and elements of cooperation—in combating illegal migration.

Migration and security: Harm of illegal migration (people trafficking, especially the sex trade, drug trafficking, etc.)

Migration and security issues are closely connected with the problem of border protection, which is an essential function of any state. Ukraine began to develop its border infrastructure and protection of its borders since the first days of independence (1991).

After the collapse of the former Soviet republics, these activities were new to Ukraine; thus, they were at first open to uncontrolled trafficking of persons, weapons, explosives, narcotic and poisonous substances, and other types of smuggling. Secondly, two-thirds of Ukraine's borders (over 4,500 km) were not defined at the national level, and as a result were not guarded.

These conditions, combined with the unstable situation on post-Soviet territory, as well

as the military conflicts in Transdnistria and Transcaucasus regions, required prompt action for the protection of Ukraine's territorial integrity.

In particular, there is a great danger of rapidly growing organised crime in the following areas:

- trafficking illegal migrants across Ukraine's territory;
- smuggling of weapons, ammunition, drugs, explosives, cultural artifacts, cigarettes, alcohol, and other goods.

Ineffective management of migration is not only Ukraine's problem. In fact, almost no country in the world has escaped the negative influence of illegal migration, being either a country of residence or a country of

destination or transit. The main negative impacts of illegal migration are:

- trafficking activity, which is connected with other crimes;
- trafficking of people, organs, and body parts, economic and sexual exploitation, etc.;
- possibility for terrorists to enter the country along with illegal migrants;
- organised crime activity connected with human rights abuses, humiliation of migrants, and corruption of law enforcement officers.

Out of 85,000 migrants detained at Ukraine's borders, the majority was aiming for Europe from regions of military conflict or international terrorism; 70% of the migrants were from Afghanistan, Pakistan, India, Iraq, Vietnam, and Sri Lanka. This information enables us to draw the conclusion that these migrants were illegally transported by car or train through the territory of Uzbekistan, Kyrgyzstan, Tajikistan, Russia, or the Caucasus.

Across the border, illegal migrants were trafficked and found at the following:

- checkpoints, with forged documents or hiding in vehicles;
- beyond checkpoints, by car or foot with the help of an accomplice.

Attempts of illegal transfer to Hungary, Poland, and Slovakia

Ukrainian border guards detected more than 7,000 illegal migrants last year. Among them were 4,621 for illegal border crossings, 433 while moving across the country, and more than 2,000 were denied entry to Ukraine for not proving the stated aim of their journey.

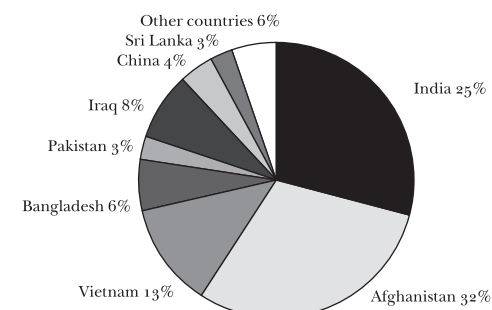
New methods of illegal border crossing are being constantly invented and carried out, first of all through the territory of Belarus, Moldova, and the Caucasus region and by sea. For instance, in November 2001 two groups of Chinese citizens were delivered by air from Moscow to Chisinau, and then illegally transferred to Ukraine.

In January of this year, 25 citizens of Iraq and Iran were delivered from Turkey in the cargo containers of vehicles and vessels. These examples demonstrate the capabilities of organised crime dealing with trafficking people within the Eurasian region. In pursuit of huge profits, such criminals are remorseless:

- transporting illegal migrants in concealed places of cargo vehicles for long periods and distances;
- keeping migrants in cold, isolated buildings without any food;
- making them traverse mountains and rivers, often in winter;
- leaving sick and exhausted migrants without help.

As an additional example, in June of last year, 54 persons were detained attempting to get into Hungary in a concealed space in the ceiling of a truck. The height of the ceiling space was 50 cm; there were 22 children among the detainees, aged from 1.5 to 10 years, and

Chart 1. Migrants



Source: State Committee on Frontier Security of Ukraine

7 women. In 1999–2000, trafficking of children with forged documents was discovered on the following routes:

- by air through airports of Kyiv to countries of Western Europe;
- by rail to Romania, Hungary, and Slovakia.

To prevent this illicit activity and punish criminals who are responsible for such acts, it is necessary to take joint action with European community law enforcement bodies, and to request assistance, if necessary, from their agencies.

The abovementioned allows us to draw the following conclusion:

The flow of illegal migrants is fully controlled by organised powerful and capable international crime groups. For illegal trafficking of migrants from Southeast Asia, the Middle East, and African countries they use both legal channels (tourism, studying, service or private purposes of travel) and sectors of the “green” border and sea routes.

Constant changes in the directions and methods of trafficking are observed.

Inadequate legislation and the lack of coordination and proper equipment are widely exploited factors in this activity.

Measures taken in past years have brought positive results, although there have been many problems. Drugs, weapons, means of terrorism and subversion, illegal trafficking of tobacco, alcohol, electronic equipment, and export of antiques all continue to present a considerable threat to national security. Illegal goods found by Ukrainian border guards over the last ten years include:

- guns – more than 18,000;
- ammunition over 2.7 million;
- narcotics – about 20 tons;
- various goods worth over 20 million euros.

Judging from the variety of illegal migration and illegal transportation of goods across the state border, we can conclude that there is a great need to devise and implement joint actions and measures of European Community to stop the negative activities.

Migration flows (national and regional perspective)

Migration processes that have taken place in Ukraine during 1991–2001 prove that Ukraine is actively participating in world migration processes.

A characteristic feature of migration is its adaptability; the character and structure of migration flows according to the political, ecological, socio-economic situation in Ukraine and abroad.

Foreign migration is one of the greatest and most importance issues for migration conditions in Ukraine. During the period from 1991 to 2001, about 4.5 million migrants were recorded, including about 2.2 million

entering Ukraine, and about 2.3 million people leaving.

About half of all persons who entered the country in 1991–92 were basically from the countries of the former Soviet Union. During 1991–93, Ukraine established a migratory surplus. In 1992 this surplus was the greatest—over 260,000.

The mass migration into Ukraine in the early 1990s was due to repatriation. Due to the population migration of Ukraine during the first few years of independence, the demographics increased in number, regardless of the

decrease of natural population growth, which reached 52.2 million in 1993. This only reaffirms repatriation as an integral part of the migration situation in Ukraine; therefore, repatriation facilitation must be focused on as a priority of the migratory policy of Ukraine.

Since 1993, entry into Ukraine has continuously decreased. Since 1994, migration reduction was apparent, which accounts for the prevailing number of persons who left over those who entered. The process is continuously ongoing. The peak was in 1994, which can be explained by the socioeconomic situation in Ukraine at that time. Due to the considerable reduction in persons entering Ukraine, despite the high indication of a migration surplus in the early 1990's, an overall migration reduction took place in 1991–2000. The number of people left also decreased. As a result of migration during this period, the population of Ukraine decreased by 108,733 persons.

Up to 1 January this year in Ukraine, the status of refugee was granted to 3,040 persons, among whom were citizens of 49 different countries. Presently in Ukraine there are 2,767 persons who had to leave their places of permanent residence in Abkhazia and Georgia and entered Ukraine.

Due to the complex economic situation in Ukraine, many Ukrainian citizens leave in search of jobs. According to official data, in the previous year the number of Ukrainian citizens who temporarily worked abroad was 33,735, and the number of foreigners and stateless persons who temporarily worked in Ukraine was 3,018. Analysis of interstate labour migration reveals the necessity of setting up protection systems that work abroad to defend Ukrainian interests and legally regulate the exploitation of working foreign forces in Ukraine.

An acute problem of illegal migration to Ukraine and on through Ukraine requires prompt counteraction of these processes. Migration analysis shows that the number of persons leaving Ukraine is larger than the number of persons entering Ukraine. Thus, the government should take an interest in people entering Ukraine (businesspeople, tourists, students, etc.). All this shows the importance of state migration management, which should be implemented by shaping and pursuing the migration policy of the state.

Nowadays, there are many unsolved questions in the area of state migration management. Drawbacks to the implementation of state migration legislation have to be eliminated by strengthening national control over enforcement of the law and coordinated efforts of governmental agencies in this regard.

It is also necessary to adopt legal acts which would settle many unsolved questions, namely: encouraging repatriation of people of Ukrainian origin and their offspring; return to the historic motherland people of who were deported from the territory of Ukraine because of national background; establishment of a legal, social, and economic basis for the management of external migration of labour; provision of assistance to refugees and asylum seekers; and control over the immigration to Ukraine of foreigners and persons without citizenship.

For Ukraine, it is important to adopt international mechanisms of migration management. It will be helpful for migrants and for the state that has to harmonise its legislation with the proper European legislation in the framework of European integration process.

Upcoming management issues regarding the Eastern EU Border

Ukraine has confirmed its irrevocable European choice and welcomes the expan-

sion of the EU, considering it to be important factor that has strategic significance for

Europe's future and objectively leads to the appearance of broad possibilities in cooperation between Ukraine and the EU.

At the same time, expansion of the EU will affect Ukraine's cooperation with present EU candidate countries. As a result, EU expansion could lead to negative consequences for Ukraine, and the prospects of Ukraine's cooperation with an expanded EU are vague.

In order to strengthen the strategic partnership and cooperation between Ukraine and the EU, we suggest that the discussion of the EU expansion issue be continued with a view to minimising its possible negative consequences for Ukraine, under the framework of joint EU dialogue based on the Partnership and Co-operation Agreement, as well as multilateral and bilateral relations with certain member countries and candidate countries.

Introduction of relevant restrictions as a result of extension of the Schengen Agreement into new states will affect Ukraine in the following ways:

- The number of illegal migrants will increase (by about 17%) as a result of immigration control intensification by adjacent states at the western borders, and also due to the underdeveloped eastern border infrastructure;

- Preconditions will occur for Ukraine to become a country that accumulates illegal migrants rather than experiencing their transit, as a result of an increase in detainment, custody, and extradition expenses, as well as aggravation of criminal activity in Ukraine, concentration of illegal migrants in specific regions, change of ethnic situation, and noticeable discrepancy between national-cultural interests of the local population and of migrants;
- Discontent of the Polish and Hungarian minorities in Ukraine will grow, as a result of the strict visa regime, which could lead to negative migration and other tendencies inside the minorities;
- Conditions for business cooperation, especially small business, will be more complicated, which can result in a partial decline of economic relations, the number of citizens travelling across the border, as well as cultural exchange, tourism, living standards, and growth in social tension among the population of western border regions of Ukraine;
- Access of workers from Ukraine to the labour markets of new member-states will be restricted; and problems with employing Ukraine's citizens in these countries will occur.

Possible ways out

- Continuation of active cooperation with the EU in the context of liberalisation of visa regimes, namely, cancellation of visa requirements for diplomatic and government passport owners going to the EU, simplifications of visa issuing procedures, and issuing long-term visas for certain categories of Ukrainian citizens;
- EU adoption of a common policy as to third-country citizens, aimed at the prevention of illegal migration, that will promote cooperation of Ukraine with EU

structures, as well as EU assistance in the arrangement of points of accumulation and return of illegal migrants to their homelands;

- EU assistance in the improvement of logistics at eastern and northern borders of Ukraine, as well as resolving the problem of extradition funding;
- working out measures for the prevention of negative consequences of visa regimes via the involvement of Ukraine's experts

under the framework of Ukraine-EU cooperation on visa issues;

- development of joint projects that would promote the competitiveness of Ukrainian workers, facilitate solving the problems of unemployment and social protection of employed migrants, taking into account the intensified adjustment of Ukraine's labour legislation in line with EU standards, as well as participation in ILO and EU Conventions on the legal and social protection of employed migrants;

- development of border cooperation, especially implementation of technical assistance projects under the framework of Tacis programs;

- fulfilling the priority of Ukraine—associate (and then full) EU membership.

Presently, as a result of newly appeared EU members, the western borders of Ukraine will become the EU's eastern borders. This requires the activation of efforts aimed at the reinforcement of eastern and northern border guards.

Conclusions and recommendations

Analysis of the migration situation in Ukraine, as well as the processes of establishing and developing state migration management agencies, clearly shows inadequacies. Migration processes are developing faster than the agencies which should execute control over these processes. In such circumstances, there is a danger of uncontrolled migration in Ukraine.

As a result, in 2001 Ukrainian legislation gave much attention to developing migration regulations and a relevant legal policy. It is necessary to study international experience at this stage. The legal basic instruments of migration management have already been worked out. Hence, international cooperation and introduction of world migration management tendencies

should be an important part of Ukrainian migration policy.

Migration management acts are inadequate because of the imperfection of migration policy. Further development of migration legislation in Ukraine requires not only intensive activity aimed at completion of adopting necessary acts, but systematisation of them as well. Agency regulations need to be further developed and systematised.

Close attention must be drawn to the problem of illegal migration. Its increase threatens society and requires legal and organisational regulation. There are more problems and “grey areas” in the area of migration management, which need to be resolved legally.

Implementation of Schengen – direct influence on socio-economic reality in Ukraine

Oleksandr SAFIN

Effects on Schengen implementation

The execution of the Schengen Treaty—above all, by the countries sharing their frontiers with Ukraine (they are Poland, Hungary, and Slovakia)—will certainly affect the dynamics of frontier movement. The foremost reaction to the introduced visa regime, as well as other organisational measures, will cut short the number of people travelling to their Western neighbours on tourist trips, visiting relatives, or for retail purposes. The problem is not in the need of opening departments of general consulates (e.g., in Berehovo and Nyiregyhaza), with assistance granted from Brussels to ensure timely and accurate visa arrangements, but in the fact that the living standards of the bulk of travellers will fail to offset the additional expenditures of obtaining visas

Employment migration

At the same time, we should not expect any shrinkage in the number of Ukrainians who migrate for temporary employment. Estimates of Western experts show that almost two million Ukrainian workers are currently illegally employed across Western European countries (data of the Federal Agency of Refugees' Affairs alone reports that Germany has from 500,000 to 1,000,000 illegal workers, of which Ukrainians make up the majority). Nowadays, this kind of employment is broadly practiced, regardless of the boom in advertising of employment by contract in the neighbouring countries, as well as the far abroad, including Western Europe (Holland, France, Norway, Italy, Spain, Portugal, and Greece are among the traditional choices). After the expiration of their employment contracts, many Ukrainians resolve to stay there illegally, unwilling to come back till the situation has improved at home (e.g., unofficial data discloses that currently over 500,000 Ukrainians are working illegally in Portugal). Their hourly rate of five to eight deutsche marks, against fifty to eighty deutsche marks for a national worker, is too tempting a bargain to turn down, even for law-abiding burghers. According to data

presented by the German department of statistics, 15,000 jobs are mislaid every year in Germany due to the "dumping" of "black labour", and the shadow economy looks more and more like an organised crime syndicate.

In the meantime, for new signatories of the Schengen Treaty, the movement of transit workers (let alone those who intend to drop the anchor in these countries) presents problems, as well. For instance, Germany is experiencing a real deficit in such rare professions as computer technologies, engineers, medical attendants, truck drivers, hotel managers, and service workers, for which there is an acute demand by the economies of these countries. Such demand naturally boosts supply. Moreover, the Bundestag is seeking opportunities to legalize the work of Ukrainian employees and other workers like them in these professional fields.

Another assumption we should not strike off the list is that the vexation of many Polish and Hungarian minorities in Ukraine at the introduced visa regime can prompt more intensive migration trends among them.

Circulation of goods

As far as the circulation of goods is concerned, we have all the reasons to claim that the decisive factor will be the quality of extant legislation, manufacturers, and auto carriers to the new reality, dynamics and volumes of investment in all respects.

The decision adopted by Ukraine's government to abolish duties collected at frontier oblasts for traversing their territory is regarded as a positive factor. The law adopted by the Verkhovna Rada of Ukraine on 7 February 2002 exempted Polish carriers from paying road fees throughout Ukrainian territory.

As is well known, the governments of neighbouring countries are discussing the

issue of expanding the Ukrainian-Polish international Baltic-Black Sea corridor (Gdansk, Gdynia-Odesa, Illichivsk, Southern ports).

Negative effects

Among the negative effects, we should emphasize that over the last six years Ukraine has curtailed six-fold capital investments into road maintenance (up to 100 million USD per annum), which gradually makes them unattractive for foreign, especially private, transport and incurs annual losses of 20-30 billion USD in additional receipts to the state budget of Ukraine.

International globalization influence

Whereas Western Europe, when picking up the gauntlets thrown down by international globalization, unlike other regional blocks, approaches more earnestly the measures needed to protect it from negative economic, demographic, ecological, and political implications, then it makes sense that forming a European trade and economic block, competitive compared to the American and Eastern-Asiatic ones, requires additional labour force, a fact which can aggravate xenophobia, ultranationalism, as well as competition in the labour market across EU countries. Simultaneously, the Partnership and Cooperation Agreement that came into effect exactly four years ago between Ukraine and the EU is aimed at trade liberalization, based on the conclusion that free trade encourages economic development of the country. Therefore, if the EU is interested in the development of Ukraine's economy, and not only in the openness of the Ukrainian market, for some time it will have to reconcile itself to a certain asymmetry of their trade relations.

Along with that, we should not underestimate the fact that more vigorous marketing of Western goods in Ukraine has sure chances to cause damage to whole cities and regions producing similar goods, and real incomes of individuals employed in the national industry will most likely drop, due to the need to curtail expenditures under the conditions of fierce competition. Neither should the threat be discarded of being forced to decrease prices due to the inflow of more attractive (by quality and other parameters) goods from the EU, which will eventually force Ukrainian producers to shut down. As a result of this, shrinkage of domestic market capacity is probable, which will further aggravate competition and speed up the bankruptcy of small- and medium-size businesses, and automatically entail adverse consequences in society.

It should be mentioned that some steps towards the implementation of the above-mentioned treaty have already become somewhat controversial. When suggesting

reinforcing economic cooperation with Ukraine, the first thing the EU suggests to focus on is nuclear security. The Presidency Conclusions Annex V. —Part II, 29 sets forth that nuclear security and shutting down the

Chornobyl nuclear power plant is a priority in EU-Ukraine relations. Meanwhile, the “common strategy” only cursorily mentions the real strategic value of Ukraine for the EU—the Black Sea region.

Trade

We may assume that in the nearest future, trade volumes will not be prone to surges, because the markets of the countries that are new signatories to the Schengen Treaty and are largely having a Western orientation will not alter dramatically their vector—that is one side of the coin. On the other side, recent statements made by the President of Ukraine during his stay in Khant-Mansiisk concerning the insular character of the EU emphasize even stronger the pro-Russian accents of the Ukrainian trade policy vector. Apart from this, the pace with which Ukrainian production slogs towards European standards is dramatically lower than the similar indicator in the Western neighbours of Ukraine. If we take a recent acknowledgement made by the Ukrainian President that the national economic model approaches most closely that of Latin America (as is well known, roughly half of it is “in the shadow”) than the European one, we cannot disregard that their new economic situation will make the new signatories of the Schengen Treaty resort to additional protectionism against dumping by Ukrainian producers.

Problems with liberalising the trade regime and barriers in bilateral trade that characterise Ukraine’s neighbours, particularly Poland, will remain as they are as a consequence a multilevel configuration change of the nearest and mid-term priorities of each of these countries for years to come. Traditionally, according to EU operating rules, where two-thirds of major goods flows (export-import) are concentrated within the union itself, we should expect that as new members gradually join their ranks, the external balance in bilateral trade will be to the detriment of Ukraine for quite a lengthy period.

As far as trade relations with Hungary are concerned, where recently a steady rising

trend of bilateral circulation of goods has been forged, with 2000 volumes reaching 400 million USD, herein we can spot the formation of mechanisms that would mitigate the implications of Hungary joining the European Association and signing the Schengen Treaty. On average, roughly 2,000 contracts are concluded annually between Hungarian and Ukrainian enterprises, among which the share of small- and medium-size ones is rising. Apart from this, the Hungarian party at least declared its intentions after EU accession, that is, to assume an essential role in implementing the EU strategy with respect to Ukraine itself. The initiative manifested by Hungary, which chairs the Visegrad four, will serve this purpose and will also facilitate Ukraine’s integration to Europe and will reinforce cooperation between the Visegrad four and Ukraine.

Simultaneously, the EU is a commonwealth of states which have united to withstand tough global competition by consolidating their efforts. Objectively speaking, at the moment when new members are arriving, they will not be openly interested in Ukrainian goods being available in their markets. And the increasing with each year share of Ukrainian exports that are subject to anti-dumping investigations is the evidence of this fact. On the whole, Ukraine’s low-key profile in foreign-trade relationships with the EU again proves that major export sectors of the Ukrainian economy (metallurgy, textile industry, and agricultural complex) do not belong here for the time being. There can be no talk about economically weighty joint projects like that of the An-70 cargo plane, which was rejected by EU countries for purely political reasons.

Additionally, the majority of Ukraine’s economic sectors are actually non-competitive in world markets, and unattractive for

investing. This results from their huge production costs compared to those of Western Europe, America, and Asia, triggered by geo-climatic realia, and, correspondingly, the smaller profitability of these sectors. This leads some of our experts to accentuate the necessity of a “reasonable distancing” from the international economic system. This fact gives Ukrainian politicians reasons to make off-putting (as it may seem to most onlookers) manoeuvres or, being more exact, to vacillate between the East—Russia—and the West, and occasionally towards the USA). To a certain extent, this phenomenon mirrors the opposing preferences of the Ukrainian population (“Left Bank”—towards Russia, “Right Bank”—towards the West). Taking into consideration socio-cultural factors, the government of the country was obliged to supplement its “European choice” with a “strategic partnership” with Russia, which takes up 25% of all Ukrainian exports (a factor of economic dependency). At the scientific-empirical conference “Socio-cultural Factors of Developing the Intellectual Potential of Society and Youth” (2001) held in Kyiv, former President of Ukraine Leonid Kravchuk, noted that Ukraine should cease straying along the “USA–Russia–Western European Bermuda triangle”. This is all the more proof of the fact that the power-wielding state managers have not yet agreed as to the principal vector of their foreign policy.

Apart from the above-said, we still should admit that further EU economic integration, apart from non-apparent benefits, bears a threat to many Ukrainian enterprises spilling over from European corporations, which ultimately will impose on

Ukraine an increased unemployment rate, fiercer competition between Ukrainian producers and enterprises of new EU members in the common market of the European Union, and tighter economic and political pressure exerted over Ukraine with respect to the openness of the Ukrainian market to EU producers.

Thus, despite the external motivational similarity of economic developments in Ukraine, Poland, Hungary, and Slovakia aimed at improving the welfare of their population, from the intentional viewpoint, anticipated EU enlargement will most likely disintegrate these countries rather than integrate them. On the one hand, the historically high level of private consumption in Eastern European countries can block the necessity of moderateness and restraint dictated by economic circumstances. On the other hand, Western entrepreneurs endeavour to limit the sphere of production activities of CIS countries, particularly in Ukraine, through issuance of low-valued primary products and semi-finished products, let alone goods produced by most Eastern European firms are not in demand with in the Western markets (it looks like quite a few of them are incapable of meeting the needs of Western consumers). It is obvious that this fact will determinably affect the growth of scepticism in Ukraine. Along with that, it should not be discounted that in the light of such reasoning the value of Russia as a resource for Ukraine will lie not so much in inexpensive energy carriers and the potential market of domestic products as in the desire and capacity displayed by Russia to conduct an expansive policy in foreign (read: Ukrainian) markets.

Economy of Ukraine

By and large, the Ukrainian economy still remains hostage to the systemic management crisis, which objectively aggravates the gap between Ukraine and Western countries (foreign debt aggregates nearly 20% of GDP, the GNP subsists on exports, huge receiv-

able (220 billion UAH) and payable (280 billion UAH) accounts, lack of economic freedom, etc.). The threat of dropping out of economic relationships also aggravates due to the fact that Ukraine’s market structure is utterly primitive, the banking system is

underdeveloped (150 banks against 24 in England, guarantees in case of bankruptcy are scanty; loans in hard currency are expensive—12.5%; inflation (6.1% in 2001) is being stifled with the lack of funds, which amounts to merely 20% of GDP versus the required 50–70%), credit resources are tight, and export capital is limited, which cannot help acting as curbing factors in teaming up the EU and Ukrainian economies. The major items of Ukraine's exports still comprise

products of non-restructured sectors, as well as material-, labour-, and energy-intensive sectors—this fact that casts doubts over the reliability and stability of economic growth. Yet more evidence of prudence exerted by Western financial circles is the fact that over the decade of independence, Ukraine received merely 3.8 billion USD of foreign direct investments, while Hungary obtained 20 billion USD, and 40 billion USD were injected into Poland.

Social aspects of influence

The social life of frontier communities, which primarily depends on the degree of “frontier transparency” (“soft” and “hard” smuggling, other subsistence sources) (factor 1), on the one hand, and the development degree of local industry (factor 2), on the other hand, is undergoing perceptible changes. No doubt that the effect of factor 1 will trigger adverse implications, that is, deteriorated levels of social life of frontier people. The effect of factor 2, as we expect, will be low-key either way, because the frontier industry is of low capacity, focused on satisfying local needs and principally acting as a raw-material appendage of national monopolists. Along with that, we should keep in mind that the majority of sectors of national industry have huge production costs—double that of their neighbours. Additionally, taking into consideration the imbalance in the 2002 State Budget, political instability, a high level of corruption of state structures, the current state of the legal field and institutional infrastructure, and conditions for developing national small and medium businesses, which retains risky transactions in the domestic market, then for a certain period the frontier industry will remain unattractive from the viewpoint of foreign investors or creditors, and new foreign investments will have no significance for the regional, not to mention the national, economy.

It is worthwhile indicating that when determining the importance of frontier cooperation, specifically in the economic sector, the economy ministries of Ukraine and Hungary made commitments to jointly develop the frontier area, which undoubtedly conforms with the European principle “To an integrated Europe via regional development” (with the definition of “region” being considered not only as part of the country, but also as a unity of lands of

several countries). It is known that European organisations grant assistance to such associations, financial assistance as well, seeing it as a way to maximally mobilise local resources to create a real market economy.

Based on the fact that in the Ukrainian-Hungarian border area, interests in the socio-economic development of both that part of southern Ukraine together with south-eastern Hungary and international financial groups converge (also because the fifth transport corridor traverses the region), experts perceive an opportunity to attract 1.5 billion USD in investments to develop this region. Principally, it would be essential to establish joint ventures there, and effectively utilise the free economic zones—both Ukrainian and Hungarian ones. These joint ventures and financial-trading groups would be Ukraine’s doorway to European markets when Hungary accedes to the EU.

Apart from this, it should be acknowledged that the utilisation of Ukraine’s scientific and technical potential is beneficial for Hungary as well as for Ukraine. We can site as an example the fact that Ukrainian enterprises are actively working in the Hungarian sphere of nuclear power (additionally, Ukrainians partook in re-equipping an electric power station that stands in the world’s top ten safest such stations). Another example of a successful joint enterprise is the Gedeon-Richter Pharmaceutical Plant, whose products are in demand in Ukraine thanks to their guaranteed quality and moderate price. The launch of a large-scale, as opposed to one-off, application of Hungary’s advanced processing technologies, which generate negligible post-production wastes, to process agricultural raw material in Ukraine, would be bound to succeed.

Foreign investments in infrastructure

The Board of the Transport Ministry has implemented a number of additional measures; namely, a five-year Complex Program to Boost Transport Infrastructure has been designed to inject 750 million USD of capital investments, of which 214 million USD will be from the budget, and the rest from credit, investment resources, and enterprise funds. This will allow to facilitate the expansion of the river port in Chop for cargo transportation up and down the Tysa (Tisza) River, modernisation of the No.5 international transport corridor, the Chop–Kyiv M 06 highway, as well as re-opening of the Solotvyn–Velyki Bychky and Yasynia–State Border railway links.

And investment in the medium- and long-term programs on socio-economic regional development,—drafted by the government back in 1993 specifically for the Carpathian region, Lviv city, and the mountain territory of Rakhiv, Transcarpathia oblast,—is problematic due to the constantly deformed budget; because of limited financial resources only 10–50% of the necessary funds are disbursed. Simultaneously, it is not the first year that the recovery of damage caused by natural disasters to border areas, specifically on the Ukrainian side, has not been fully executed.

It is hardly worthwhile to hope for solid foreign investments (it is well known that this per-capita indicator for Ukraine is the low-

est among the Eastern European countries). On the one hand, the phenomenon of flight of domestic capital abroad is widespread in Ukraine. Keeping in mind that EU accession by Poland, Slovakia, and Hungary will strengthen one way or another confidence of Ukrainians in them as in EU members, the flight of Ukrainian capital to these countries is bound to intensify. On the other hand, in the wake of countless bureaucratic hurdles, foreign investors will keep Ukraine in mind only as an important future market, and in the nearest future will not make use of its principal advantage—the comparatively inexpensive but qualified and diligent workforce.

Developments of recent years include differentiation of socio-economic development and regional resource potential, establishing local self-government, application of different instruments of public policy and economic regulation, which primarily affected Transcarpathia, Lviv, and Volyn, as well as Kirovohrad oblasts, whose economy has witnessed the most severe plunge—by 27–30%, down to the 1990 level. The economy of these, as well as the additional seventeen oblasts of Ukraine almost entirely relies on the conditions in one or two production sectors. Here, the level of wages is lower than average throughout Ukraine—which, apropos, totaled 57 USD [monthly] compared to 606 USD in the neighbouring Poland.

Unemployment and migration

Therefore, introducing a tighter regime for Ukrainian migrants and reinforcing protectionism measures with regard to restructuring the local labour market in countries neighbouring to Ukraine, as well as a significant reduction of opportunities to support its living standards at the expense of border trade, smuggling will boost both the registered unemployment (3.7 million people

and, according to official data, in 2002 it will increase by 0.2%, while in border areas, this indicator is much higher—every tenth registered jobless person in Ukraine lives in Lviv oblast, and the highest unemployment rate is in Volyn oblast) and non-official unemployment rate in the frontier area, which will undoubtedly generate extra tension. During his visit to Ukraine, the President of

Hungary's statement that the country's government managed to curtail the unemployment rate by 5.6% last year and that it would

continue was indirect proof of the gloomy prospects awaiting Ukrainians living in border areas.

Smuggling

It should be stated that in the course of the last five years, Ukraine's criminal situation, particularly in border regions, has worsened considerably; criminal groupings have started to integrate more vigorously into criminal syndicates. The criminal world has waged an all-out offensive on the interests and security of Ukraine's state borders. The limited financial-economic and resource opportunities of the state regarding proper maintenance of the border troops, State Customs Service (2002 financing will be at the level of 35–40% of overall needs) have prompted tense opposition between the intensified frontier problems and limited opportunities to solve them (additionally, it should be noted that approximately 50% of Ukraine's state frontier are not provided appropriate customs and frontier control). This prompts the introduction a set of measures to form regional zones of frontier security, to establish coordination in space and concerted efforts of all executive bodies that deal with problems in the frontier sphere.

Smuggling will be subjected to stringent measures exerted by law-enforcement agencies of new signatories to the Schengen Treaty, on the one hand, and as for Ukraine, it will refine its forms and methods, continuing to pose problems to Ukraine's economy, remaining a shadow rival of the national industry and distorting overall economic indicators at the regional, as well as at the national levels.

Low living standards and poor social security of most societal groups in Ukraine (survey data, conducted in 2001 by SOCIS reveal that only 32% of Ukrainians assessed their life as satisfactory), quite a few able-bodied population in frontier regions not engaged in socially useful work

is a potential epicentre for illegal deeds at the frontier. Thus, over six months in 2001, the number of detainees in Ukraine's frontier regions grew, with accomplices, couriers, and assistants of illegal migrants. For the bulk of the population, especially on the Hungarian stretch of the frontier, helping trespassers has become a kind of tradition and a primary method of earning one's living.

Cushy ways of earning some extra cash engaging in "fishy" transactions (including illegal migrants), and corruption levels on the border, despite largely nothing more than administrative measures employed to fight the latter, and the formation of robust national as well as transnational criminal structures on both sides of the frontier, which were established over the last years and have learned how to become clandestine, do not inspire with optimism for the nearest future. Thus, for instance, a clandestine wine-making industry in Hungary, hemp-growing, opium poppy-growing, and production of synthetic drug raw material using the cheap land and labour force of Ukraine, will remain some of the principal sources of smuggling.

Presently, smuggling activity across borders is getting more organized and criminal, with the number of large parties smuggled goods seized (over 100,000 UAH) jumping four-fold. The results of militant activities of the Frontier Army in 2001 testify to the fact that smuggling across the State Border remains high, regardless of the measures applied, and does not display any downward trends. Thus, compared to 2000 the number of expropriated goods which crossed the border illegally rose by 1.5 times.

The level of illegal activities on the Ukrainian-Polish border remains high;

the number of detained smuggled goods grew by 1.4 times and value of the goods rose by 1.7 times. During 2001, more than once huge batches of cigarettes, which were intended to be delivered West under faked documents, were detained. Actually, almost 88% of the goods (by values) were halted when attempting to remove them from Ukraine. As earlier, spirits, cigarettes, non-ferrous metals, currency and antiques, as well as CDs continue to be exported from Ukraine; foodstuffs and packaging materials are imported. The increased number of cigarettes should be attributed to the more thorough inspection of cargo trucks; as a consequence, the instances of large quantities of detained smuggled goods have increased. It is not accidental that currently Ukraine is justifiably regarded by Europe as the country supplying cigarettes to "black markets".

Smugglers' tactics have not altered. Goods are removed from Ukraine usually in small batches clandestinely, and imported, on the contrary, in bulk under faked documents or disguising them as cargo. Along with that, cases of detainment by the tax police in Lviv oblast of huge batches of foodstuffs, illegally imported from Poland,

show that there are channels for their illegal import. The functioning of these channels is actually impossible without the assistance of controlling agency workers at checkpoints.

According to our estimates, soon the number of detentions in this particular frontier area will somewhat drop, following the vigorous measures executed by the Polish side throughout regions bordering Ukraine to block the illegal import of spirits. However, the number of cases of attempted illegal imports of goods to Ukraine will not diminish; moreover, smugglers will seek more actively to enlist the services of controlling agency employees.

Analysis shows that smuggling activity has gradually spread to the Hungarian frontier region, where the number of detentions increased by 1.5 times, and the cost of goods seized jumped by 2.3 times. Further on, we believe that the level of illegal activities in this area will be rising, a fact that can be attributed to both the above reasons and the high unemployment rate, particularly of the Transcarpathian population.

Major vectors of smuggling activity

1. Polish region: Shehyni-Medyka; Rava-Ruska-Hrebenne; Krakovets-Korczewo; Mostyska-Przemysl.
2. Slovak region: Uzhhorod-Vysche-Nemetske; Chop-Czerna on the Tisza; M.Berezhnyi-Ublia.
3. Hungarian region: Chop-Zahon; Luzhanka-Beregsuran; Vylok-Tysabec.

Major types of goods (import/export) across oblasts

Volyn oblast

Imports: sugar, agricultural produce, mineral fertilisers, spare parts, automobiles (60%), gasoline, diesel fuel, non-ferrous metals

(62%), currency, and household goods.

Exports: cigarettes, wines and cigarettes, non-ferrous metals (38%), auto spare parts (10%), antiques.

Lviv oblast

Exports: cigarettes, vodka, CDs, precious metals, icons, currency, shoes, non-ferrous metals, antiques.

Transcarpathian oblast

Bordering Slovakia:

Imports: currency (34%)

Exports: cigarettes, spirits, CDs, currency (66%)

Bordering Hungary

Imports: household goods, manufactured goods, clothes, and agricultural produce

Exports: cigarettes, cars, non-ferrous metals, and antiques.

The volume of detained goods increased, as well; in particular, fuels and lubricants skyrocketed by 45 times, sugar grew by 7.5 times, auto machinery and spare parts rose three-fold, and video and audio equipment picked up three-fold. An impressive increase in the volumes of detained fuels and lubricants was triggered by the higher excise imposed on them, which pushed them almost twice as high, and by their diminished supplies from Russia.

The effectiveness of border guards

Activities of the border guards aimed at counteracting smuggling activities continue to be preventive. Most goods illegally crossing the border (70%) were arrested while attempting to bring them into Ukraine, with this indicator rising by 11% compared to the previous year. According to analysis, illegal activities of goods crossing the border intensified throughout almost all frontier

stretches, particularly, in the Slovak region (by 11.9%), the Polish one (by 11.8%), and the Russian area as well.

All in all, in 2001 the Frontier Guards detected and seized goods and cargoes illegally crossing the border valued at 26.3 million UAH, which is 1.2 times higher than the previous year (22.32 million UAH), (See Table 3).

Table 3. Goods and cargoes detected and seized by the Frontier Guards in 2001

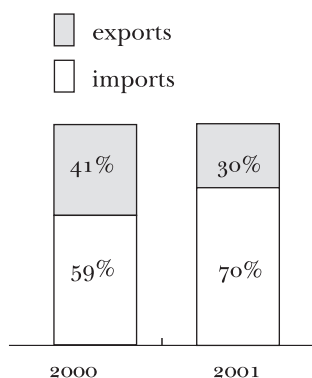
Goods/cargoes	Quantity
Spirits and alcoholic beverages	over 185 thous litres
Sugar	over 282 t
Tobacco products	over 2,37 mln packets
Fuels and lubricants	over 650 thous litres
Meat&meat products	over 192 t
Flour	over 345 t
CDs	over 22 thous items
Non-ferrous metals	over 115 t
Precious metals	over 85 kilograms

Source: State Committee on Frontier Security of Ukraine

Additionally, right on the border 1,434 weapons (371 units in 2000), 8,754 units of ammunition (12,226 units in 2000), 3,084.117 kg of drugs (431.931 kg in 2000), and 5.45 kg of explosives (0.45 kg in 2000) were discovered and seized.

Additionally, 253 detected and arrested hijacked automobiles the valued at 1.7 million UAH were detained, the lion's share of them (97%) on the borders with Poland, Hungary, and. Slovakia. All in all, 2% of weapons, 10% of ammunition, 7.5% of

Chart 2. Dynamic of detained goods in frontier regions over 2000–2001



Source: State Committee on Frontier Security of Ukraine

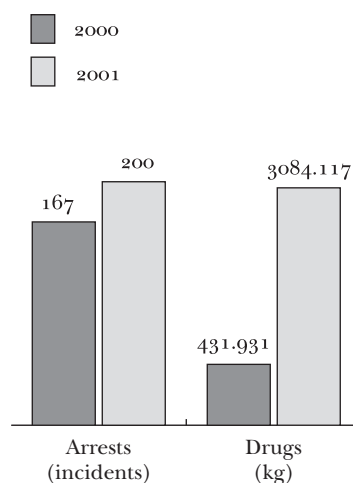
drugs, and 33% of goods were arrested on the frontier's western area.

The results of operational activities of Ukrainian law-enforcement agencies in 2001 show that the number of arrests on the State Border of drugs jumped by 1.2 times, and their weight grew seven-fold. The largest party of drugs was detected and seized on the border with Moldova—84% of the total quantity (in 2000—7%); while 12% came from Russia (83%), and 2% came from Belarus (9%).

Over 90% of drugs were detected and seized while attempting to import them to Ukraine or grown in frontier raions to be consumed in Ukraine (only 57% in 2000). The most frequent drugs/narcotics include poppy straws, cannabis, marijuana, etc. Therefore, while the eastern area of the state border will long remain transparent enough for goods, weaponry, etc. to penetrate to the territory of Ukraine due to the lack of funds, it will be highly tempting to supply them to Western consumers abroad.

Thus, conclusions drawn from the results of counteracting illegal movements of tobacco goods across the State Border of Ukraine show that in 2001 over 2.37 mil-

Chart 3. Drugs arrests

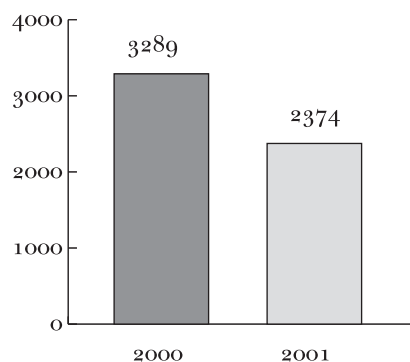


Source: State Committee on Frontier Security of Ukraine

lion cigarette packets were seized while attempting to illegally bring them across the State Border, which is 28% less than the previous year. Almost 77% of tobacco goods were arrested while attempting to illegally import them to Ukraine, in particular, from Russia and Moldova.

On the western border region we see a tendency to export cigarettes, because prices for

Chart 4. Seizure of cigarettes on the State Border over 2000–2001 (thousands of packets)



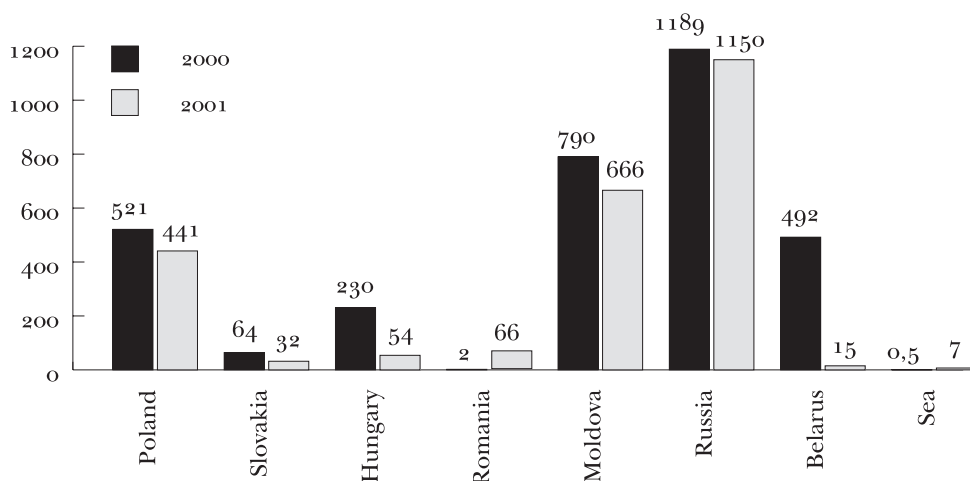
Source: State Committee on Frontier Security of Ukraine

cigarettes in the countries of the European Community and other Central European countries are several times higher than in Ukraine. Furthermore, these are filter cigarettes, usually of well-known brands. Thus, tobacco goods are illegally imported to Ukraine from Russia and Moldova largely to be sold in Ukraine and exported to Poland, Slovakia, and Hungary. Irregardless the fact that 74% of cigarettes are detained outside Ukraine's State Border checkpoints, according to estimates made by the State Committee

on Security of the State Border of Ukraine, large amounts of smuggled cigarettes are illegally imported to Ukraine via checkpoints under faked documents for other goods.

The results of cigarette arrests by the State Customs Agency of Ukraine corroborate this fact; that is, Frontier Guards seized 1.75 million packets of cigarettes outside the checkpoints, while over 3.7 million packets of cigarettes were seized by the State Customs Agency of Ukraine, largely at checkpoints.

Chart 5. Arrest of cigarettes on different frontier areas (thous packets)



Source: State Committee on Frontier Security of Ukraine

The root of the smuggling problem along the western border of Ukraine

- Differences in prices for goods.
- The lack of flexible and timely customs and excise price regulation.
- No reliable border established between Ukraine and the Russian Federation and between Ukraine and Belarus.
- No effective seizure mechanism of arrested smuggled goods.
- No liability envisaged for carriers.

What facilitates smuggling activities?

- Lack of advance information about smuggled goods crossing the border, including huge shipments/batches.
- Lack of an efficient tracking system over delivered cargoes to the destination, transit crossing of the territory of

Ukraine and checking whether the cargo exported from Ukraine is that same one which was imported.

- Possibilities to evade criminal responsibility for involving in smuggling activities (lawbreakers are called to administrative account, not criminal).
- Restitution of smuggled goods under arrest and hijacked vehicles to lawbreakers.
- Dispersion of efforts by departments, domination of departmental interests over state ones—counteracting smuggling activities is only done in the interests of

departments (who will be the first to report about arrests to state authorities).

- Complete disappearance of goods and cargoes from licensed warehouses.
- Checkpoints not properly fitted for auto and, particularly, railway crossings, on the Ukrainian-Russian-Moldovan-Belarusian border (lack of sites for scrutinising, unloading devices, specialised equipment, electronic scales).
- Smuggled goods under arrest are not assessed by competent authorities for a lengthy period.

Ways of conducting smuggling activities

- Submitting false cargo statements, that is, another cargo is indicated, quantity specified is less, the value is reduced.
- “Disrupted transit”, when goods are imported to the territory of Ukraine for transit absolutely legally, but after they pass control the documents are destroyed, goods are either transhipped to other transport vehicles or number plates of the vehicles are replaced, that is how the goods are retained in Ukraine and customs duties are not paid.
- Quite a large number of smuggled goods get to the territory of Ukraine under

faked documents, or via ephemeral firms, which are then either re-registered or disappear altogether.

- Transportation of goods across the State Border in small lots or by single items by the local population, by passing checkpoints, or through local checkpoints many times per day respecting the daily norms stipulated by legislation.
- Driving hijacked vehicles across the State Border by means of substituting documents, or importing vehicles which are already registered in Ukraine.

Steps to be undertaken in Ukraine at the state level

1. Develop and implement tight controlling mechanisms over foreign trade activities of legal entities and individuals, by scrutinising all import-export transactions.
2. Finalize proposals to introduce necessary amendments to the extant legislation of Ukraine on granting the right to Frontier Guards of Ukraine to interrogate in cases of illegal cross-border movement of goods, weaponry, and narcotics.
3. Security ministries and departments of the state should work out common guidelines on unified accounting and statistical reporting of instances of arresting smuggled goods and violation of customs procedures.
4. Implement for a certain period a state monopoly on selling goods abroad that may be expected to replenish the State Treasury within maximally short terms.
5. Synchronize the controlling functions of banking, customs, tax, and border structures, as well as other controlling and law-enforcement agencies within the control system for export-import transactions.
6. Practice conducting coordinated, short-run, emergency, targeted, local operations on the Ukrainian-Moldovan, Ukrainian-Belarusian, Ukrainian-Russian stretches of the border, both at checkpoints and outside of them jointly with the Security Service, Ministry of Internal Affairs, State Tax Administration, State Customs Agency, and State Border Committee of Ukraine.
7. Introduce a state system of incentives for workers of law-enforcement and state controlling agencies to arrest smuggled goods, and procedures for the further utilisation of seized goods for the material and technical benefit of divisions of the corresponding departments, and expansion of the State Border and checkpoints.
8. The Cabinet of Ministers of Ukraine should allocate extra funds for properly equipping of checkpoints across the State Border, on the most intensive cargo traffic routes.
9. Determine efficient controlling mechanisms over transit movement across the territory of Ukraine of vehicles and cargoes; set itineraries and routes for vehicles carrying transit cargoes across the territory of Ukraine; and establish procedures for tracking movement over the territory of Ukraine.
10. Clarify and amend the list of state-border checkpoints, including air communications, which serve cross-border military and special cargoes and excisable goods cargoes being imported, exported, or transited.
11. Establish an inter-departmental database on lawbreakers, listing individual identity information, vehicles, cargo carriers, consigners, consignees, mediating structures and firms detained for involvement in smuggling activities.

In summary, the potential achievements and benefits of European integration will exceed the probable damages and risks, and economic and trade relations with the European Union offer a chance which should not be missed, but it should be drawn on intelligently by both parties, distinguishing available opportunities and justified caution from unwise optimism and populist phobias.

What will take place after EU expansion and the Schengen Agreement coming into effect: Policy prospects for Ukraine

Olena MALYNOVSKA

Consequences of EU expansion for Ukraine

The fifth expansion of the EU—unprecedented both in terms of the number of new members and the depth of reforms—creates a principally new situation for Ukraine. As a result of western neighbours joining the European Union, the external border of the EU will go along the borders of our country. Its length (along Romania, Slovakia, Hungary, and Poland) will be 1,400 km. Being direct neighbours with the European Union—whose importance in the global employment market, system of international trade, and political sphere will undoubtedly increase after expanding to include Central European countries—will impact both relations between Ukraine and the EU as well as other countries and the domestic political and socio-economic development of Ukraine.

This impact will, of course, be varied, since the process of expansion itself is quite contradictory. In the context of transforming western Ukrainian borders to external EU borders, a conflict of interests emerges with regard to ensuring the internal security of the union and its fundamental foreign policy principle of openness; in other words, between the declared transparency of borders, promoting regional trans-border co-operation and realistic limitations on movement across them

Possible advantages of EU expansion eastward

EU expansion brings with it hope for positive changes in conjunction with our country approaching the European zone of stability and security. The movement of the EU eastward will objectively increase its impact on Ukraine in the area of introducing European standards of democracy, business, trade, human rights, etc.

Expansion of the EU, which will mean modernisation of co-operation with new union members, objectively opens new, wider possibilities for co-operation between Ukraine and the EU, making more real Ukraine's involvement in the implementation of joint European projects for the development of transport infrastructure.

In the economic sphere, the EU is already a significant market for the sale of Ukrainian

goods, and a source of imports. Increasing the population of the EU to nearly half a billion, high purchasing power of consumers, and the dynamic development of economies of member countries will increase the role of the EU as a trade partner of Ukraine. Expansion to include countries of Eastern Europe with which Ukraine has developed trade and economic ties will create new prospects for increasing trade volumes.

The EU adopting countries which receive large portions of the Ukrainian labour force will promote the exchange of experience between Ukrainian and European workers, familiarising Ukrainian workers with leading forms of organising production, and acquiring new knowledge and skills, which will have a positive effect on increasing labour productivity in Ukraine.

In the political sphere, membership in the union of Eastern European countries with whom Ukraine has strong friendly ties will create conditions for the development of new deeper forms of co-operation with the EU, through its new members. In addition, the accession to the EU of Ukraine's traditional partners, which will have appropriate representation in the management of the union, will open possibilities for more successful advancement of Ukraine's interests on the territory of the community, in co-operation with neighbouring countries.

This also applies to the sphere of the procedure for movement of citizens, and visa policy. Since western neighbours of Ukraine will also carry significant material and other losses if movement through the common border is restricted, we can hope that they will actively participate as EU members in the search for mutually acceptable solutions for Ukraine and the EU.

With EU expansion, the importance of Ukraine as a direct neighbour will grow in terms of European security. This opens the way for the country for wider participation in relevant international structures, and joint actions together with the European Union.

Studying and practically applying the experience of neighbouring countries which have managed to achieve concrete results in their European integration efforts could be an important accomplishment for Ukraine.

Additional prospects are emerging for Ukraine in the area of regional and trans-border co-operation with new EU members; to this end, viable mechanisms have already been created—including "euroregions" (Carpathian, Upper Prut, and Buh [Bug]).

Since the EU is interested in ensuring peace and stability on its borders, there is reason to hope for the expansion of concrete assistance which it provides for reforms in Ukraine. Adopting the "Common Strategy of the European Union to Ukraine" at the Helsinki

Summit in December 1999, the Council of Europe noted that the EU "acknowledges the European aspirations of Ukraine and welcomes its European choice". The Common Strategy notes that "after the expansion process currently happening is completed, some of the future EU member countries will have a common border with Ukraine. Expansion of the union will increase even more the economic dynamism and political stability in the region, thus increasing the possibilities for co-operation with Ukraine".

The document lists the main goals of the EU with regard to Ukraine. Among them are support for the process of democratic and economic reforms; ensuring stability and security and resolving common problems on the European continent; and support for strengthening co-operation between the EU and Ukraine in the context of EU expansion.

In the context of EU expansion, it is proposed to increase co-operation with Ukraine, devoting particular attention to co-operation in the area of justice and internal affairs. This will be based on mutual interest in combating illegal immigration and people trafficking, developing co-operation in the area of border security and combating organised crime.

With regard to the expansion process, the Common Strategy also declares the effort of the EU to strengthen dialogue with Ukraine on the issue of agreeing a visa policy, by defining visa requirements corresponding to EU norms, and introducing travel documents that would be rather hard to falsify.

Of course, the abovementioned co-operation priorities, particularly in the migration area, primarily reflect EU interests, since they are focused on restricting immigration to the EU. However, they equally take into consideration Ukraine's interests concerning problem-free movement of citizens across borders, labour migration, and employment on the territory of European Union member countries.

At the same time, the readiness of the European Union to co-operate on the given objectives can be actively taken advantage of

by the Ukrainian side for activating its co-operation and achieving understanding on a wider range of issues.

Possible losses from EU expansion

Regardless of the constant declarations of the EU, member countries, as well as Ukraine on their interest in developing co-operation and co-operation results, the prospects of Ukraine joining the club of European countries are really mixed. Public opinion, testified in sociological surveys, is rather pessimistic on the desire of a united Europe to co-operate with our country. According to most of the population (62.4% of respondents to a survey at the end of 2001), European countries are either indifferent or sceptical towards Ukraine, and do not accept it as an equal partner.

Problems and complications threatening the future accession to the EU of Central European countries are mostly connected to the EU ignoring Ukraine's interests and wishing to wall off this poor and insufficiently stable country with a new "iron curtain".

In the foreign policy sphere, the accession of neighbouring countries to the EU and the relating dynamisation of their development will increase even more the difference in transformation rates between these countries and Ukraine, which will objectively complicate bilateral relations. This can also be exacerbated by subjective factors, that is, Europe-focused political forces in these countries; in the case of accession, their positions will strengthen, and they will consider co-operation with Ukraine, along with wider regional co-operation in the East, to be second-rate in comparison with the western vector of their foreign policy.

In the trade-economic sphere, competitive positions of Ukrainian goods will worsen in the markets of neighbouring countries, in

conjunction with the prospect of them imposing the EU single tariff, as well as the loss of possibilities of independently regulating their trade regimes with Ukraine, cancellation of free-trade agreements with Ukraine and the Baltic countries, expansion of anti-dumping measures against Ukraine, etc. It is forecast that the reduction of Ukrainian exports to countries of this region can reach 15–20%.

Ukraine's geographic position gives rise to hope for active participation in transit shipments. At the same time, changes to conditions for technical specifications of transport vehicles in conjunction with neighbouring countries joining the EU can lead to the squeezing out of some Ukrainian haulers from the transport services market. Negative consequences in this context will also be felt from changes to procedures for customs and border control.

While the most optimistic scenario says that EU expansion will create new trade conditions for all countries and promote the development of Ukraine's participation in European trade, transporting goods, and regional co-operation, the pessimistic scenario sees Ukraine being excluded from the most important Europe-wide processes, transforming it into an agricultural/natural resource periphery.

The nature of the effect of EU expansion on Ukraine in practice, of course, will not comply completely with either of the two alternatives. Most likely, as a result of intertwining both objective and subjective factors (among which are the internal political and socio-economic situation in Ukraine itself and the policy of the EU and its new members) in different time periods, after EU

expansion the situation will move closer towards one or the other scenario, but it will remain multifaceted.

The greatest complications are likely in the nearest future, in the initial period after expansion of the EU and the Schengen zone.

Consequences of EU expansion in the sphere of migration and population movement

For the population of Ukraine, the most obvious and significant effect of expansion of the EU and Schengen zone will be the strengthening of border controls at Ukrainian borders with new union members, and the introduction of a visa regime for trips to these countries. These measures will affect a significant portion of the population of the country (last year, in 2001, Ukrainian border forces registered 6.7 million instances of Ukrainian citizens leaving the country at borders with Poland, Slovakia, and Hungary, i.e., EU candidate countries for the “first wave”; the numbers crossing the border into Poland are exceeded only by crossings into Russia) and inevitably will have a significant effect on the formation of political opinion and the socio-economic situation of many people.

In conjunction with the introduction of a visa regime, it is quite realistic to expect the prospective reduction of the entire complex of trans-border relations—both economic and humanitarian—with candidate countries. After all, the number of crossings by people, who comprise these relations, will inevitably fall. Over 14% of respondents to a sociological survey believe that the introduction of visas will make impossible their trips to EU membership candidate countries; over 12% more did not reply, and 18% believed that the introduction of visas will affect their plans (versus 55% not planning at all to visit these countries). For some, taking into consideration the income levels of the population, trips abroad will become unaffordable due to the amounts required to pay for visas; for others, the obstacle will be inconvenience of obtaining the visa itself—distance, waiting in lines, and time (an average two to six weeks is required to

obtain a visa), problems with documents, and again the money required for all of this.

In proof, we compare the volume of border crossings between Ukraine and Slovakia during the three months before and the three months after the introduction in June 2000 of the visa regime. Thus, according to Ukrainian border officers, after the introduction of visas the number of Ukrainian citizens visiting Slovakia as tourists dropped by 76%, while private trips fell by 57% and business trips fell by 64%; the number of citizens of Slovakia visiting Ukraine also fell considerably, by 64%, 53%, and 58%, by type of trip, respectively. Overall, the annual number of trips by Ukrainian citizens to Slovakia, and of Slovaks to Ukraine, practically halved after the visas were introduced.

Based on these data, we may analogously assume that as a result of the introduction of visas in June 2003 planned by Poland, the reduction of flows across the Ukrainian-Polish border will amount to even more than the 30–40% forecast by Polish specialists. Since the absolute number of crossings on the Ukrainian-Polish border is ten times more than the number of crossings on the Slovak border, the actual reduction of movement across the border will be significantly larger. The halving of trips by Ukrainian citizens abroad as a result of the Polish introduction of visas will mean 2.3 million fewer trips a year; Hungary's introduction of visas will reduce trips by 800,000.

If we take the data of sociological surveys, about 50% of Ukrainian citizens were abroad at least once. Among them, those travelling most often had the aim of visiting relatives—nearly 35%—while over 27% travelled on

vacation or for tourist purposes, just over 14% were on business trips, another 14% on contract work, and the rest on exchanges, studying, etc.

In crossing the border, the nature of the trip, not the goal, is the matter; therefore, the data of border officials have different structure. Thus, during 2001, among the citizens of Ukraine going to Poland, Slovakia, Hungary, and the Czech Republic 6% were on official matters, 18% were members of organised tourist groups, and the most common were private trips, comprising 72%. Among the private trips must have been trips aiming to look for jobs, and also trips aiming to engage in petty trade, which are usually recorded as trips on private matters. A certain part of such trips was registered as tourist trips, the so-called shopping tours.

For understandable reasons, the residents of border regions travel most often. Here, 65% of the population has passports, while the country average for adults is about 20%. According to border officials, most residents of populated areas on the border cross the border at least once a month; some as often as once a week.

According to the division of trips by their goal, the areas where the effects of restricting border crossings will be felt most strongly can be determined.

First of all, these are humanitarian contacts, and family ties. Again, this problem is most acute and painful in border regions. Some estimates show every sixth family in the border zone of 50 km having relatives on the other side.

The restriction of freedom of movement is a particularly sensitive issue for citizens of Ukraine belonging to minority nationalities of the titular nations of neighbouring countries that live in border regions. Besides the negative consequences common to all residents of border regions, it will also mean new obstacles to maintaining ties with their

kin abroad, and in taking trips with cultural or educational motives that are important for preserving the ethnic viability of minorities.

Procrastination by Poland and Hungary in introducing visas can be explained to a large extent by this very desire not to restrict interaction with representatives of Polish and Hungarian national minorities in Ukraine. Ukrainian citizens of Polish and Hungarian ethnic background, albeit concerned about the prospect of limitations on their border crossings, are generally convinced that their maternal nations will do everything possible to preserve free association with their national minorities. Thus, the expectations of the Hungarian national minorities connected with the Law of Hungary "On Hungarians abroad", which provides certain advantages in entering Hungary for Hungarians living abroad. However, there are certain doubts as to whether the privileges regarding ethnic Hungarians correspond to the *acquis communautaire*. If they do not, then Hungary will be forced to amend its national legislation, which would not be welcome news at all for Ukrainians of Hungarian extraction.

The restrictions to cultural and humanitarian contacts will be felt not only by representatives of national minorities, but also by wider cross-sections of the population. Threatened will be the basic interests of citizens travelling abroad for various purposes, entailing maximum free movement, and the absence or reduction of obstacles hindering their trip. Considering the completely discouraging ratio of incomes of Ukrainian citizens and the cost of visas for representatives of the intelligentsia (teachers, doctors, etc.), tourist, recreational, or cultural trips by ordinary citizens will be impossible.

The introduction of visas and increased border control will also negatively affect the level of business contacts, since the cost of trips for negotiations or signing relevant contracts will increase.

The problem of introducing a visa regime will touch on the interests of hundreds of thousands of Ukrainian citizens, who in the complex conditions of the transition period selected the strategy of ensuring the welfare of their families by migrating to work abroad. According to some assessments, up to 5 million Ukrainian citizens leave the country each year to work abroad for 1 month to 1 year. Employment abroad today has important social significance; it is creating positive pressure on the job market and reducing social tension within the country. Along with labour migration eastward, that is, to Russia, temporary employment in EU and EU candidate countries is becoming increasingly more widespread. Nearly 80,000 Ukrainian citizens work in Portugal; 35,000 in Spain; up to 90,000 in Italy, up to 100,000 in Poland and the Czech Republic, about 50,000 in Slovakia, and nearly 10,000 in Hungary. Some assessments put the average monthly incomes of citizens working abroad at over 2 billion hryvnias, which is equal to one-third of the nominal cash incomes of the entire population.

Some time ago, Ukraine signed an agreement about employment of its citizens with Poland, Slovakia, and the Czech Republic. In conjunction with the future accession of these countries to the EU, it will become more difficult to fulfil these agreements. Even more significant consequences will be felt from the increased control of candidate countries over the employment of Ukrainians beyond the scope of these agreements. After all, illegal labour migration is much greater in scope than that taking place under the framework of inter-state agreements. Thus, for example, while in 2000 just over 17,000 Ukrainians were officially employed in the Czech Republic, the number of illegal employees exceeded this figure by almost 6 times. Combating illegal employment will lead to the return of many Ukrainian workers, who support hundreds of thousands of families, which will have a serious negative effect. Particularly threatening consequences may be had for certain,

mainly border, regions that supply most of the migrants and are characterised by a high level of unemployment (according to the data of the Transcarpathia Oblast State Administration, 120,000 of their residents work abroad).

The restriction of illegal employment by control means is incapable of halting it, since the demand for cheap Ukrainian labour in neighbouring countries will continue to exist. Moreover, in certain sectors and regions, it can be expected to increase as a result of local workers leaving to work in the West, given these possibilities will expand in the process of joining the EU.

Along with the demand for workers from Ukraine, one of the effects of future expansion may also be the increased supply of Ukrainian labour force in the employment markets of neighbouring countries. The thing is that the difference in levels of prosperity, evident even today between people living on opposite sides of the border, will only increase with the joining of neighbouring countries to the EU and the raising of their lifestyle to that of the European average. The possibility of bigger incomes, whose attractiveness will be even greater the more they exceed not only the European average but also the minimum subsistence level in Ukraine, will be a strong factor to draw migrant workers.

Thus, problems connected with illegal labour migration, such as feeding the shadow economy and corruption in candidate countries and absence of guarantees of labour or human rights of Ukrainian workers, will continue to exist.

The introduction of visas will lead to increased expenses for commercial business trips, and therefore also to reduction of the volume of business tourism. This will have a negative effect on the welfare of part of the population, especially in border oblasts. Thus, according to the State Committee for Tourism, in 2000 the proportion of residents

of Transcarpathia, Lviv, and Chernivtsi oblasts in tourism abroad was 43.3%, which is wholly out of proportion to the population of these regions compared to the total Ukrainian population. Understandably, these are commercial tourists, who under conditions of high unemployment and low wages are creating incomes by bringing small parties of goods across the border. The visas will be most painful for the least-protected categories of citizens—unemployed, pensioners, and schoolchildren, who sometimes actually make their living by selling the 200 cigarettes and litre of alcohol which are permitted for export, and by bringing knick-knacks back for sale.

In this context, it is understandable why every fifth respondent to a representative sociological survey of Ukraine said that the introduction of visas will have a negative effect on his welfare and that of his family.

Restricting crossings into neighbouring western countries will result in the intensification of trips of Ukrainian citizens eastward. This will apply to both tourist and recreational trips, as well as trips aiming for employment and petty trade, which is particularly important. It is worth noting that this trend is evident already, due to a large degree to the introduction of visa regimes by the Czech Republic, Slovakia, and Bulgaria. Namely, against the background of reduced total trips to these countries, the border statistics testify to the increase of number of trips to countries neighbouring Ukraine to the east. For example, while in 1999 there were 3.2 million border crossings towards Russia by Ukrainian citizens, in 2000 there were 4.4 million, and 5.5 million in 2001.

Yet another consequence of making the western border more difficult to cross, in our opinion, may be the prospect of increased tendency of the Ukrainian population to leave permanently and reside abroad. After our country acquired independence, emigration gradually fell, among other things because its main goal of

increasing welfare could be accomplished by means of temporary trips without changing place of residence or cutting important individual social ties. The disappearance of such a possibility will stimulate emigration, first of all of representatives of national minorities, which have more chances of receiving permission to enter foreign countries, often have relatives abroad, and painlessly handle problems of language and cultural adaptation in their new environment.

The result of establishing strict control on the borders with western neighbours that seriously concerns the public (the problem of border security was singled out by 25% of respondents to a sociological survey conducted in summer 2001); and there is a threat of illegal migrants collecting in the country on their way to trying to get to the West. Along with that are the threats of importing crime, terrorism, uncommon infectious diseases, additional burdens on the Ukrainian labour market, expansion of the shadow economy, which uses illegal workers, and emergence in the population of a negative attitude to the arrivals and moods of intolerance. All this can have a negative influence on the internal situation in the country.

Thanks to the efforts of border and law-enforcement agencies, and joint measures with border forces of neighbouring countries, the intensity of illegal migration across Ukrainian borders has been significantly decreased. Thus, while in 1999 over 20,000 illegal migrants were detained in attempting to illegally cross the border, in 2000 it was 5,400, and 4,600 in 2001. At the same time, the problem of illegal migration remains urgent primarily due to the existence in the country of foreigners with undefined status, who arrived here in the previous period, and also the essential lack of a deportation system.

In conjunction with the problem of illegal migration, in our opinion it would be worth noting that a fortified border will not guarantee the dissemination of organised crime or illegal entries on the territory of the EU.

Convincing evidence of this are at least half a million illegal migrants arriving each year to Western Europe, despite all measures to fortify the outside walls of “fortress Europe”. It’s absolutely obvious that super-strict border controls will affect not criminals above all, but ordinary citizens.

And not only in Ukraine but also in candidate countries for accession to the EU. Thus, the comparatively poorest regions of Poland, directly bordering Ukraine, annually receive several billion USD thanks to arrivals from Ukraine. Ukrainians are consumers of various goods and services of Polish manufacture. They fulfil seasonal temporary work in Poland, under conditions which would not satisfy Poles. The wel-

fare of many citizens of Poland depends on trips of Ukrainians; they will be in dire straits if the border is closed.

The negative effects of restricting movement across the border will also affect the situation in the EU, since the emergence of a zone of instability on its very borders, as well as the restriction of the traditionally mutually convenient co-operation between Ukraine and candidate countries, cannot be in the interests of the European Union.

Particularly sharp may be the effects of introducing visas and super-strict border controls in the short term, if such measures are carried out without consideration of their effects for Ukraine.

Effects of expansion on domestic and foreign policy processes

Speaking of the possible domestic policy results of expansion of the EU and the Schengen zone to Ukraine’s borders, it must be kept in mind what significance during the past ten years the possibility had to go abroad, not only for the socio-economic situation for residents of Ukraine, but also for the transformation of their mentality from *Homo Sovieticus* to citizens of an independent European country—a transformation which, by the way, has not yet been finalised for a great number of Ukrainians.

Recall that the Iron Curtain which separated Ukraine and other USSR republics from the external world was an essential element of the Soviet system, one of its cornerstones. The liberalisation of movement, which began in the perestroika years, characterised the crumbling of totalitarianism, on the one hand, and accelerated it, on the other. Already in the first years after independence, Ukraine totally liquidated state control over citizens’ trips abroad. As of 1 January 1993, the procedure was cancelled whereby for any trip abroad people had to receive permission from the relevant gov-

ernment authorities. The Law of Ukraine “On the procedure for leaving Ukraine and entering Ukraine by citizens of Ukraine” adopted in February 1994 ensured every citizen the unrestricted right to receive documents for crossing the state border (the restrictions stipulated in the law on obtaining passports, such as failure to fulfil financial or other obligations, or having to do with state secrets, had only a temporary, not an absolute, effect).

On the other hand, thanks to the policy of governments of Central and South-eastern Europe, above all Poland, which were aimed at establishing close neighbourly relations with independent Ukraine, Ukrainian citizens obtained the possibility without any particular problems to travel in the territory of these countries. Trips abroad, which during Soviet times were the privilege of a few, became affordable for ordinary citizens. Passenger flows across the western border quadrupled. In the last five years alone, the number of trips by Ukrainian citizens to Poland increased by more than 60%. The “window to Europe” came to be one of the

most obvious achievements of independence and the democratisation of societal life.

Free movement between neighbouring countries also had a positive effect on the development of bilateral inter-state relations. Thousands of people on both sides of the border could become better acquainted. Border relations became not only demonstrative but substantive. Contacts between national minorities and their maternal nations were significantly simplified (Transcarpathian Hungarians, Galician and Volhynian Poles, Polish and Slovakian Ukrainians, etc.), and co-operation deepened between countries, and local authorities in border regions, in resolving their specific problems. All this was extremely important for overcoming the historical burden of mutual prejudices, stereotypes, and negative memories, clearly confirmed by the gradual progress in Ukrainian-Polish relations, which permitted the presidents of the two countries to sign in 1997 a historical joint statement, "Towards an Understanding and Rapprochement".

With the introduction of visas and the future joining of neighbouring countries to the Schengen agreement, one of the greatest achievements of the nineties—free movement across borders—will be left in the past. In practice, this entails restrictions for Ukrainians of one of their fundamental human rights—the right to free movement and the selection of place of residence. Thus, for example, according to a sociological survey (February 2002), over 53% of respondents see a restriction of their civil and human rights in the introduction by Poland of a visa regime for Ukrainians.

This may become a watershed moment in the formation of political views of many people, particularly those who will suffer concrete losses. After all, one of the strongest arguments for independence and the entire complex of social reforms is lost. Restricting movement across borders for many will

mean a defeat of democracy, return to old times, and will lead to disillusion in European values, or hopes of finding one's place in the civilised world.

One of the results of such a course of events may be the identification of the process of EU expansion with the threat of marginalisation or isolation, and an increasing inferiority complex, connected with the fact that Europe is distancing itself from Ukraine. Even more serious is the disillusionment in our European choice—which, as experience shows, will not help ordinary folk at all in resolving their vital problems. This may strengthen feelings of isolationism, and also more important—push public opinion in the direction of a union of Eastern Slavic nations, if not the USSR.

As is known, the foreign policy sympathies of the Ukrainian population, according to sociological surveys, are generally equally divided between an eastern and a western orientation, with a slight advantage for the east. Although, as sociologists testify, there is a significant potential for sympathy for the EU, its realisation will depend directly on specific measures by the European Union for Ukraine's benefit, and on results of co-operation. If the population is convinced in the hopelessness of its expectations to join Europe, among the first reactions could be forecast the strengthening of foreign policy choices of both the political elite and ordinary citizens in the direction of Russia and other CIS countries.

This will mean the weakening of positions of Europe-oriented Ukrainian politicians (which is practically synonymous with liberal-democratically oriented politicians), corresponding changes to the hierarchy of political powers, and, as a result, worsening prospects for market and democratic transformations in Ukraine.

Against this background, it is not unlikely that differences between western and eastern regions of Ukraine would increase. The

west, which considers itself to be in Europe both historically and mentally, can oppose the east, blaming the easterners for Europe not wanting to have anything to do with Ukraine. This carries with it the threat of pro-Western separatism, and the emergence in certain regions of calls to integrate with Europe without Greater Ukraine; this would create a new dividing line between Europe and non-Europe, which would cross the heart of Ukraine. The development of similar attitudes is most likely in Transcarpathia, which is the Ukrainian region most connected geographically, economically, and ethnically to neighbouring countries which will be EU members, as well as Galicia, to a certain extent.

In order to prevent this, it would be necessary to convince the public in the EU's interest in Ukrainian integration, and a willingness to consider its interests. In the context of expanding the Schengen zone up to the borders of Ukraine, these interests entail seeking ways of minimising the negative effects of Ukraine's western neighbours introducing a visa regime. To improve relations, it would be worthwhile for the European Union to put maximum effort so that the building of a new "iron curtain" on its eastern frontier—which, after the end of the cold war, could be nothing except an

anachronism—does not happen. By the way, it should be noted that among other things, such a wall would cause increased contradictions between the EU and its new members who have important vital interests in the East.

Both Ukraine and the EU should find mechanisms to compensate possible losses in cooperation. There is still time for this, since the process of allowing new members into the EU is still ongoing, but relevant measures must be adopted immediately.

As paradoxical as it may be, the expected negative results of expansion for Ukraine, in our opinion, have a positive effect on the dynamisation of this process. The closer and more realistic the threat of being left on the sidelines of European development, the more seriously the political elite in the country starts to make declarations on European choice, and strives to substantiate this slogan with concrete content. In particular, this is shown in both the recent official statements by the highest officials in the country and in the foreign policy strategies of political parties and blocs campaigning for the parliamentary elections (slated for March 2002). On the other hand, the position of EU countries will also undergo changes to the benefit of considering Ukraine's interests.

Possibilities for minimising negative effects of expansion

Seeking mutually acceptable solutions at the multilateral and bilateral

The only possible and the most effective way of preventing negative effects of EU expansion for Ukraine is the intensification of practical measures to develop and deepen co-operation with the EU in various spheres and at various levels, and accelerating internal reforms, with the aim of achieving alignment with European standards.

Ukraine's declared course towards European integration was transferred to the practical dimension thanks to the Partnership and Co-operation Agreement, which became effective as of 1 March 1998, between the European Community and member countries and Ukraine (hereinafter—PCA) after it was ratified by EU countries.

According to the PCA, joint bodies were created—a council and a committee on co-operation between Ukraine and the EU. The latter is comprised of four multi-profile committees. Most migration problems belong to the competency of the subcommittee on customs, trans-border co-operation, combating illegal migration, organised crime, money-laundering, and narcotics trafficking.

Ukraine's obligations under this agreement in the migration sphere include a general-nature obligation regarding compliance with democratic principles and taking measures for the gradual alignment of existing and future Ukrainian legislation to that of the EU (Article 51).

Article 24 of the PCA is devoted to the obligations of parties directly involved in migration issues; also, the EC and its member

countries shall strive to ensure that the status of Ukrainian citizens working legally on the territory of member countries did not permit any discrimination on the basis of citizenship with regard to working conditions, compensation, or layoffs compared to their own citizens. Similar obligations with regard to EU country citizens are taken on by the Ukrainian side.

In addition, in Article 25 the sides are obliged to adopt provisions mutually that are necessary to co-ordinate the system of social security of employees who have Ukrainian citizenship and work legally on the territory of member countries. These provisions should ensure contributions for all periods of social insurance in determining pensions, medical services, and also the transfer of pensions from one country to another.

The PCA also foresees the possibility of employment in EU countries of categories of persons such as management of Ukrainian companies operating on the territory of said countries, their affiliates or subsidiaries. According to Article 35, a Ukrainian company founded on the territory of the EC has the right to hire or charge one of its subsidiaries or affiliates with hiring workers and officers who are citizens of Ukraine, on condition that said workers and officers are key personnel and that they are hired exclusively by said companies, subsidiaries, or affiliates. Permissions for residency and employment are issued to such workers and officers only for their employment period.

Along with that, it is emphasised (Article 47) that the provisions in the Agreement do not provide citizens of Ukraine the right to enter or stay on the territory of the EU in any status, even the status of company shareholder or partner, or its manager or employees, supplier, or service client. Affiliates of Ukrainian companies cannot either hire or use the work of citizens of Ukraine on the territory of the community, or provide Ukrainian citizens for working for other persons and under their control on temporary employment contracts.

Nevertheless, it can be said that certain interests of Ukrainian citizens working on the territory of EU countries were reflected in the PCA. Along with that, the Agreement signed with Ukraine is missing some provisions on migration that are found in agreements between the EU and Central European countries. Particularly, on the fact that marriages and children of persons who are working in EU countries legally have the right for work during the term of the residency permit for heads of their families. Or the norm in the EU Agreement with Poland (absent in agreements with other countries) that anticipates the possibility of providing permission for employment to citizens who already have permission to reside in EU countries, except those who have arrived to visit or as tourists. This norm could above all be applied to students. Moreover, according to agreements with countries of Central Europe, citizens of these countries have the right to self-employment on EU territory. This category of workers include, for example, petty traders, or persons with free professions engaged in creative activity abroad. In earlier agreements with candidate countries, signed with Greece, Portugal, and Spain, guaranteed rights were stipulated for residency and employment for citizens of these countries who at the time of signature of the agreements already resided and worked in Western Europe.

Since the PCA has provisions according to which the text of the agreement can undergo

revisions during three years after it has come into effect, the time has come to put the question of protecting the rights of Ukrainian migrant workers working on the territory of EU countries, at least in such forms as already existed or exist in EU agreements with other countries which are not (or were not at the time the agreements were signed) members of the union. It would be worthwhile to put forth propositions for discussion on granting permission for employment of members of families of citizens who are legally employed abroad, and also those who already have residency permits, with regard to enabling independent economic activity of Ukrainian workers on EU territory, etc.

An encouraging form of resolving migration issues between Ukraine and EU countries is the signing of employment agreements. Today, Ukraine has signed a series of bilateral agreements with neighbouring countries—Poland, Czech Republic, Slovak Republic; the fulfilment of said agreements after the given countries join the EU, and the further expansion of their activity, does not contradict the union's legislation. This conclusion is based, among other things, on the provisions of agreements between the EU and candidate countries, reflecting the union's approach to the existence of bilateral agreements on employment between its members and third countries. The agreements note that the possibility of employing workers from candidate countries, as provided in bilateral agreements on mutual employment, signed with individual EU members, remain and can be expanded. We will also note that most of these agreements were signed with Central European countries, mostly Germany, even before they ratified the EU agreement.

These agreements regulate the employment of intern-workers who go abroad with the aim of increasing their qualifications and languages, seasonal workers, and also workers employed in the implementation of individual projects. Regardless of certain restrictions—rather meagre quotas, small

employment terms, the obligation of leaving the country after the term is finished, the prohibition on looking for other work in the country of residence, and age brackets which are very narrow in the case of intern employees—bilateral agreements are an important instrument for ensuring access by workers from Central European countries to the European job market (for example, under proper agreements over 200,000 Poles work abroad every year). First of all, they created quite large possibilities for employment of citizens of countries of the region in Western Europe on a legal basis, which allowed to a certain extent to transform the illegal migration into a legal seasonal or temporary migration. Second, undoubtedly they met the interests of employers in the West, who obtained necessary and undemanding workers, workers having the possibility of earning money, and also countries of origin of the migrants who thanks to the export of their workforce acquired a whole series of benefits, such as reduced pressure on the internal labour market, improvement of the socioeconomic situation of families of migrants, hard-currency takings, increased level of qualification of representatives of the labour force.

Unfortunately, to date Ukraine has not achieved any agreement with any EU country on seasonal employment of its citizens or intern-employees, though suchlike initiatives by our country were put forward. At present, it seems that there are more chances for seeking possibilities to sign agreements on temporary seasonal employment of Ukrainian migrant workers on a multilateral level, i.e., with the EU as a whole. The achievement of such agreements will give grounds to both the signing of concrete bilateral agreements and to the expansion of application and enhancement with new substance of agreements on employment that have been signed with candidate countries.

The next block of questions that needs to be resolved on the inter-state level applies to visa policy. It is important to start with the

fact that the swiftest adaptation to the introduction of a visa regime regarding Ukrainian citizens by new EU members, together with the weakening of the strict procedure for arranging visas for Ukrainians to EU countries is in the interests of both countries.

In Ukraine, a conceptual plan for migration and visa policy has been developed; it stipulates deliberate steps in the direction of liberalising the visa regime with EU member countries and candidate countries for joining the EU, and the introduction of a stricter procedure for allowing entry of citizens of countries supplying illegal migrants.

Aiming to increase control over the issue and ensuring proper protection of Ukrainian entry visas, in February 1999 Cabinet of Ministers of Ukraine resolution No. 227 introduced a new procedure for obtaining visa documents for entering Ukraine, and a Schengen-type visa sticker was introduced with the proper counterfeit protection.

Increasing control over entering Ukraine was manifested in the government decision on crossing the border by CIS country citizens only with a passport (except the Russian Federation and Belarus, with whom there are separate agreements on this matter), which came into effect on 1 January 2002.

At the same time, since 1999 Ukraine has unilaterally introduced a visa-free regime of entry for citizens of EU member countries who have diplomatic passports. Also, the Cabinet of Ministers of Ukraine resolution dated 5 May 2000 exempted citizens of EU countries, Canada, the USA, Turkey, Switzerland, and Japan travelling with an official, business, scientific, or private aim, and also for cultural or sports exchange, from the necessity of presenting an invitation in arranging for a Ukrainian entry visa.

The next step in the liberalisation of the visa regime with the European Union is negotia-

tions on simplifying the procedure for issuing visas and reducing the consular fees. Agreement has been reached with Austria regarding free-of-charge arrangements of visas for certain categories of citizens of both countries. A draft similar agreement is being prepared with Spain, the relevant issue is being worked on with Britain, etc.

These steps show that Ukraine is willing to take the path of gradual unilateral simplification of procedures for granting visas to citizens of EU member countries, even to the point of cancelling them altogether. At the same time, demonstrating goodwill on the Ukrainian side is calculated to prompt the other side to symmetrical actions. We expect at least the willingness to discuss the issue of simplifying the visa regime with respect to citizens of Ukraine.

In the long term, initiatives are possible with regard to changing certain provisions of the Schengen agreement, which regulates the EU visa procedure. Taking into consideration the principled position of the European Union regarding the impossibility of any exception to joint decisions, what is meant is amending the Schengen agreements itself, which have been criticised within the EU as well, not about a special attitude to Ukraine. This does not mean, however, that using diplomatic means Ukraine should not raise the question of exempting our country from the so-called blacklist of countries whose citizens can enter EU territory only with a mandatory visa.

Well, that is an issue for the future. Today, it looks more realistic to find means not of obviating the Schengen requirements but of adjusting to them with the least losses. The opening of additional consulate agencies of EU countries and candidate countries in regions of Ukraine, which would allow citizens to avoid the expensive and difficult trip to Kyiv and reduced waitlines is one of the possible measures. Of course, this would require additional expenses on the part of the partners of Ukraine (in fact, introducing

visas for trips by Ukrainian citizens will require, in the opinion of Polish experts, hiring at least 250–300 additional consular officers), but this could be a concrete affirmation of their willingness not only to declare but also to truly deepen co-operation.

The next step would be to reduce the cost and align the tariffs for consular fees for arranging visas, to make their arrangement more affordable and comprehensible to Ukrainian citizens. Today, visa costs are different even in the embassies of EU member countries. As to candidate countries, the cost of their visas (of those countries which have already introduced visa procedures) is sometimes even higher than that of member countries. For example, a Bulgarian tourist visa (along with obtaining the necessary documents) costs 53 USD, while in most embassies of EU member countries visas cost the equivalent of 20–25 USD.

Adapting to the introduction of visas by neighbouring countries and the expansion of the Schengen zone could help to improve the work of consular agencies of EU countries as a whole. Increasing the clarity and responsiveness of the procedure for obtaining documents would promote the reduction of demeaning to people lines, which among other things are also a breeding ground for various types of abuses and bribe-taking, including on the part of employees of foreign diplomatic representatives.

Greater openness during the visa procedure would promote the establishment of an atmosphere of trust and co-operation. Besides information about documents required to be submitted for the visa, Ukrainian citizens are worthy of knowing the legal foundations for these requirements, and in case the visa is refused, to know the reasons for such a decision. Today, the practice of rejections without any explanations in fact deprives Ukrainian citizens of the possibility of appealing against the decisions of consular authorities, or at least

to be certain that the rejection was not due to a misunderstanding or a direct error.

Since the expansion of the Schengen zone does not imply the full discontinuation by countries joining it of issuing national visas, valid only for entering the territory of the given country, along with its neighbours Ukraine should seek additional possibilities to weaken the problem. This could mean an agreement on arranging for a certain number of free-of-charge multi-entry visas which would be valid, for example, for a year for citizens who have relatives on that side of the border, or were born on a territory which today is part of another state, or who belong to national minorities. In any case, a special regime for crossing the border should be preserved for residents of populated areas directly near to the border.

A better-adjusted and fast passage procedure could also mitigate the negative effect of introducing a visa regime on the intensity of movement across the border. In recent years, much has already been done to equip the border checkpoints. New terminals have been built, many control points have created a necessary service infrastructure. For example, the auto-transport passage through the Ukrainian-Polish border at Krakovets-Korchov in Yavoriv raion, Lviv oblast, is regarded as one of the best in Europe. However, even now most checkpoints are such as were built over 50 years ago, where there are no necessary conveniences for citizens, nor proper working conditions for border officers. That is why the further development of the border infrastructure is still important and can be a sig-

nificant area of co-operation between Ukraine and neighbouring countries, and with the EU as a whole. Simplification of crossing the border will be promoted by new, more progressive forms of organising work—for example, joint border controls by border officers of neighbouring countries.

Yet another important sphere where joint efforts of Ukraine and foreign countries are required, and possible fruitful both bilateral and multilateral co-operation aiming to minimise the negative effects of EU expansion in the migration sphere is the prevention of illegal migration and accumulation of illegal migrants on the territory of Ukraine. This should entail not only the strengthening of the future common border for Ukraine and the EU, but also equipping the state border of Ukraine on its entire perimeter. Ukraine requires consultative, expert, and financial assistance, assistance in training personnel, facilitation in access to innovative technologies for protecting the border, modern technical means, etc. Providing such assistance on the part of the EU is in the interests of the European Union and could be a significant contribution in ensuring Europe-wide security. At the same time, Ukraine must be aware that business the effectiveness of this assistance and, ultimately, its scope will depend on its decisiveness and purposefulness in finalising the legal establishment of the eastern border, ensuring its reliable protection, and signing agreements on readmission with eastern neighbours, from where Ukraine receives most illegal migrants detained on its territory (over 60% from the Russian Federation, up to 11% from the Republic of Belarus).

Alignment of migration policy and migration legislation of Ukraine with European standards

A necessary condition for deepening co-operation with the EU is the successful reform of Ukraine itself, aligning its legislation and administrative practice to

European standards. Institutional alignment with the EU in the area of regulating migration processes, purposeful movement in introducing European norms and stan-

dards, will open the way to further closeness, including acquiring visa privileges.

The state policy of integrating Ukraine to the European Union, which has been carried out since 1991, was performed at the first stage exclusively in the area of foreign policy activity, but later more and more transformed into an element of domestic policy.

With Decree No. 615/98 dated 11 June 1998, the President of Ukraine approved the Strategy for the Integration of Ukraine to the European Union, which determines the main objectives for the work of executive government bodies for the period to 20007, during which conditions are to be created necessary for Ukraine to acquire full-fledged membership in the EU and joining the European political, economic, and legal space.

Among other things, the Strategy anticipated the preparation of a detailed Integration Programme. This Programme, a rather bulky and complicated structure document comprising 140 chapters, was approved by Decree No. 1072/2000 of the President of Ukraine dated 14 September 2000. The concrete action plans for the implementation of priority provisions of the Programme that have been developed since 2001 are an inalienable part of it. In its turn, an element of the Action Plan is a work plan on adapting Ukrainian legislation to that of the EU.

The content of the Programme was determined taking into consideration the content of the PCA, EU documents on the common strategy regarding Ukraine, and also the experience of preparing and implementing similar programmes for candidate countries for joining the European Union. It encompasses various aspects of public life, the economy, and culture, and anticipates purposeful steps for approaching the criteria defined by the EU Council in June 1993 in Copenhagen as being necessary for membership in this organisation.

Since in signing the Amsterdam Treaty (in effect as of 1 May 1999) the EU countries, among other things, agreed on a single policy for all of Europe in the field of immigration and refugees, which, of course is mandatory also for candidate countries, the Integration Programme includes special chapters devoted to the issue of managing migration.

Above all, the objective is stipulated of ensuring human rights and freedoms in the process of migrational movement in accordance with the Constitution of Ukraine and international obligations, particularly the right to freedom of movement and selection of place of residence.

Among the priorities set forth in the Programme are the following: improving Ukrainian legislation on citizenship in compliance with the 1997 European Convention on Citizenship; initiating a state register of physical persons, to replace the propyska (residency permit system); creating conditions for Ukraine to join the 1951 UN Convention and 1967 Protocol on refugee status; joining the European Social Charter insofar as the part applying to migrant workers, etc.

It is planned to continue work in the direction of simplifying the visa regime between Ukraine and the EU, and also preserving a maximally simplified regime of trips between Ukraine and EU candidate countries. Along with that, increased attention will be paid to strengthening border and immigration control, and measures aimed at preventing illegal migration.

In the time since the adoption of the Programme, Ukraine has taken serious steps in the direction of fulfilling it, with the aim of achieving European criteria in the field of legislation on migration and refugees. First of all, a new redaction was adopted of the Law of Ukraine "On citizenship of Ukraine" (January 2001), which resolved many issues connected with citizen-

ship for such categories of persons as repatriates, especially those who were previously deported, who have returned to Ukraine, refugees, migrants on the basis of family reunification, etc. With the adoption of the law, compliance was achieved of national legislation with the European Convention on Citizenship.

In June 2001, two extremely important laws for the regulation of the migration sphere were adopted at once—that is, a new redaction of the Law of Ukraine “On refugees”, which ensured compliance of national Ukrainian legislation with the 1951 UN Convention on refugee status, as well as the Law of Ukraine “On immigration”, which regulates the procedure for foreigners and persons without citizenship to enter or leave on the territory of Ukraine for permanent residence.

By its content, the Law of Ukraine “On refugees” can be regarded as one of the most liberal among similar European laws. In adopting this law, Ukraine took upon itself not only the obligations stipulated by the 1951 Convention, but also significantly wider ones. For example, the principle of non-deportation, the basic principle of the entire international system of protecting refugees, was substantially widened. According to the Ukrainian law, deportation of refugees is not only not permitted to the country of origin, but also to a country from which they could be sent somewhere where they would be threatened with danger due to their race, religion, nationality, citizenship, or belonging to a certain social group. In addition, refugees cannot be deported or forcibly returned to a country where they may be tortured or in other ways handled or penalised that are violent, inhuman, or demeaning.

The Law of Ukraine “On refugees” also significantly expands the rights of refugees. Equivalent rights to those of Ukrainian citizens are established for them for: work, business activity, healthcare and medical assis-

tance, recreation, education, possession, usage, and disposal of their property and results of their intellectual or creative activity, appealing to court decisions, actions, or lack thereof of state authorities, local government bodies, and officials or civil servants. In the Convention, where relevant rights are stipulated in articles 13 (property rights), 14 (author’s rights), 16 (right to appeal to court), 17–19 (right to work on hire and to individual and business activity), and 22 (education), refugees are mostly compared not to citizens of the country in which they are found, but to foreigners living in this country. For example, in education, according to the Convention, refugees should be given rights equal to those of citizens only with regard to primary education. Therefore, the rights guaranteed to refugees by the national legislation of Ukraine are in part wider than those stipulated in the Convention.

The law allows among the reasons for adopting a decision to refuse to grant refugee status the location of the applicant in a so-called “third safe country”, where they may be protected as a refugee. However, this restriction can be applied only if this country complies with certain criteria; in particular, it follows international standards of human rights, recognised principles for protecting refugees, has the appropriate national legislation and administrative bodies, is capable of ensuring the seeker of asylum effective protection, agrees to accept the person, and allow them to the procedure of defining their status. The criteria defining a third safe country that are found in the Ukrainian law have been borrowed from relevant recommendations of the Council of Europe.

Convincing confirmation of Ukraine’s efforts to create a system of asylum that complies with European standards is the fact that presently about 3,000 foreigners have the status of refugees in Ukraine, and over 40 countries, which is significantly greater than the number of refugees with

official status in neighbouring EU candidate countries.

The Law of Ukraine "On immigration" legislatively ensures a clear and transparent procedure for issuing permits for foreigners and persons without citizenship to immigrate to Ukraine; earlier this was absent (performed according to agency instructions of the Ministry of Internal Affairs). Along with totally justified control measures for immigration that should make impossible the arrival on the territory of the country of foreigners who represent a threat to national security or the health or morality of citizens, the law provides guarantees against violations of the human rights of migrants and the possibility of immigration on the basis of family reunification, which applies not only to members of families of citizens of Ukraine but also to refugees and immigrants residing on the territory of the country. A significant guarantee of these rights is the right to appeal a decision to refuse to grant permission for immigration in the courts, the possibility of submitting repeat applications, etc.

In establishing a mechanism for legal immigration, the law is also aimed at illegal immigration. At the same time, taking into consideration the realities of the transition period and the existence in the country of foreigners with undetermined status, the concluding provisions of the law establish that all the residence permits granted prior to its coming into effect remain valid; moreover, persons who arrived pursuant to the agreement between the USSR and Vietnam about employment of citizens, and who remained in Ukraine actually on an illegal situation after the collapse of the single state, have the right to apply for permission to immigrate to Ukraine, and also persons from the war zones of Abkhazia in the Georgian Republic who were granted temporary asylum pursuant to a decision of the Ukrainian executive government. These decisions can be regarded as a certain type of partial immigration amnesty.

At the same time, significant efforts are being put into strengthening control measures with the aim of combating illegal migration. The presidential decree dated 18 January 2001 approved another programme to combat illegal migration for 2001–2004. In January 2001, the Verkhovna Rada of Ukraine adopted the Law of Ukraine "On amending certain legislative acts of Ukraine on combating illegal migration", which significantly increased fines for foreigners violating the rules for staying, and also the responsibility was increased for organisers of illegal transfer of people across borders, and of citizens of Ukraine and Ukrainian legal entities for facilitating such violations and providing services to illegal migrants.

With the adoption of this law, changes were made to Article 32 of the Law of Ukraine "On the legal status of foreigners", which regulates the procedure for expelling foreigners and persons without citizenship from Ukraine. The new redaction establishes that foreigners who committed a crime or administrative violation may be expelled from Ukraine. Decisions on expulsion can also be taken regarding foreigners whose actions grossly violate the legislation on the status of foreigners or contradicts the interests of ensuring the security of Ukraine or the preservation of public order. At the same time, an important innovation that corresponds to international requirements of protecting human rights is the fact that foreigners or persons without citizenship can appeal decisions on expulsion to the courts, which suspends the execution of these decisions.

A whole series of documents which have been adopted recently or which are being developed in Ukraine are devoted to guarantees of freedom of movement. First among them is the Decree of the President of Ukraine dated 15 June 2001 "On additional measures regarding the realisation of the human right of freedom of movement and free choice of residency". Accordingly, the procedure has been cancelled of registering

foreigners arriving in Ukraine at internal affairs authorities by residency location. As of 1 July 2001, foreigners from countries with a visa-free regime should apply to MIA agencies only if their stay in the country extends beyond 90 days, while citizens of countries for whom entry in Ukraine necessitates a visa need to apply after the visa deadline expires. Thus, the registration of foreigners who are temporarily staying on the territory of Ukraine should take place only when they are crossing the state border.

This decree also anticipated a series of measures that aims to cancel the *propyska*, which the Constitutional Court of Ukraine in its turn recognised as contradicting the basic law of the state. Another decree of the President of Ukraine approves the temporary procedure for registering citizens that has been implemented instead of the *propyska*, and gives a mandate to the executive

government to prepare and submit a draft law on the registration procedure for discussion by the parliament.

Significant harmonisation of Ukrainian legislation in the area of migration to generally recognised international norms and standards have allowed the state to join the 1951 UN Convention and 1967 Protocol on Refugee Status. The corresponding Law of Ukraine was adopted by the Verkhovna Rada of Ukraine on 10 January 2002.

Yet another confirmation of Ukraine's achievements in establishing and improving legislation in the field of migration in accordance with international requirements can be considered to be the adoption of our country as a full-fledged member of the International Organisation for Migration (IOM), which occurred at the last IOM session in the fall of 2001 (Ukraine had observer status at the IOM since 1993).

Issues with regard to fulfilling legislation and integration of migrants

One of the important preconditions for fulfilling legislation at the level of European standards is the existence of necessary administrative bodies and providing them appropriate authorisation. Today, most functions of regulating migration are fulfilled by the Ministry of Internal Affairs of Ukraine. Decrees of the President of Ukraine charge it with co-ordinating the efforts of executive government bodies for the prevention of illegal migration, and fulfilling the recently adopted laws of Ukraine "On citizenship of Ukraine" and "On immigration". Fulfilment of the Law of Ukraine "On refugees" should be ensured by the State Committee of Ukraine on Nationalities and Migration; repeated reorganisations of this entity testify that efforts continue to find the most acceptable forms of providing assistance to refugees. The agenda includes reforming the Frontier Troops of Ukraine into a law-enforcement agency that complies with EU

standards. Plans also include rejuvenating a special department on labour migration in the Ministry of Labour and Social Policy. Overall, the issue remains of optimising the structure of executive government bodies in the sphere of regulating migration processes, particularly concentrating the appropriate functions in a single central executive body, i.e., creating a State Migration Service of Ukraine.

The institutional problem is not the only one to emerge in conjunction with implementing Ukrainian legislation in the sphere of migration. The issue of personnel qualifications continues to be an urgent one. During recent years much has been done to train civil servants working in the migration sphere, assisted by international organisations (UNHCR, IOM) and by EU member countries (Germany, Sweden). Appropriate courses have started to be taught in a series

of higher educational institutions, including those who train officers of the Border Army and militia. Training of personnel and studying the work experience of relevant agencies of countries who have acquired significant experience in regulating migration processes and accepting refugees remains an important objective for Ukraine for co-operation with the EU and candidate countries.

The financial difficulties of the state are an obstacle to the full and comprehensive implementation of Ukrainian policy in the migration sphere. Specialised facilities have still not been created for detaining illegal migrants until their status in the country is determined or they are returned to their fatherland. Due to the lack of funds, there is practically no system for deporting foreigners who have no justification to stay in the country. Only one station has been opened for accommodating refugees, with 50 spaces that certainly do not satisfy existing demand. Ukraine needs help in resolving these issues, including financial ones. To say it more broadly, this assistance should aim to facilitate the integration of immigrants in Ukraine.

Unfortunately, it must be noted that while it provides rather broad legislative possibilities for foreigners and persons without citizenship to receive refugee status and also Ukrainian citizenship, the state actually provides no support in the sphere of settling and integrating these people into Ukrainian society. As a result, even among the most protected foreigners in the legal sense, that is, those who have a residency certificate or

are officially recognised to be refugees, a significant number continue to regard Ukraine as a transit country and strive to leave for the West.

The lack of integration programmes is linked both to the lack of funds and the lack of appropriate experience or societal comprehension of the necessity of purposeful integration measures, which would be in the interests of both the immigrants and of society as a whole. At the same time, Ukraine has already acquired unique and unequivocally positive experience in accepting and settling in their historical homeland a category of repatriates such as those deported during Stalinist times because of their nationality—Crimean Tatars, Bulgarians, Armenians, Greeks, and Germans, who have returned to Crimea. The expansion of this experience to measures to integrate other categories of migrants could bring positive results; and the active support of integration activity on the part of European partners would strengthen it.

An important and perhaps even a deciding factor which inevitably should change the attitude of the state to integrating migrants is the demographic situation in Ukraine. Unfavourable demographic trends resulting in the steep drop in population and which in the nearest future could halt economic development will force a review of migration policy, as has already taken place in the neighbouring Russian Federation, which has come upon analogous demographic problems and selected immigration as one of the means of combating them.

Conclusions and recommendations

Conclusions from the above information may briefly be reduced to the following:

- Despite all difficulties and controversy, the process of EU expansion shall have a generally positive effect on Ukraine. It is forcing the management of the country, leading political forces and the public, to realistically assess the situation of the country, the results of reforms, and to put effort into reducing the distance between Ukraine and Europe.
- In the migration sphere, the introduction of visas by neighbouring countries and the threat of restriction of movement across borders by citizens, as well as the demographic situation inside the country, prompts the authorities to sub-

stantially work on forming an effective national migration policy.

- The EU should comprehend the necessity of involving Ukraine more broadly in the resolution of common problems, above all those which represent a threat to Ukraine's national interests and those of candidate countries.
- Given the complexity and diversity of consequences of EU expansion for migration processes in Ukraine, this problem is worthy of more detailed and profound study, above all in border regions. Its results could be particularly significant if such research was conducted on both sides of the border using a common methodology, which would allow the possibility of comparing the results.

Opinions of local leaders representing border communities towards the present-day western borders of Ukraine

Olena HOUMENYUK

Introductory remarks

This report presents public opinion on the general situation in Ukraine's western borderland. In this region, borders are a part of the everyday experience of both people and institutions, in addition to being influenced by the national government and by the foreign policies of other countries. In the nearest future, inhabitants of this area will be faced with the fact of new secured borders and the introduction of visa regimes with countries where they used to travel freely. Although this will not be a new experience for Ukrainians, the change will affect individuals as well as whole groups, communities, and institutions located in the border region that will have to respond to the changed role of the secured border.

In consequence of the nature of the future change, combined with the social and cultural challenges in the region, the attitudes of inhabitants of Ukraine's western borderlands towards the border will be taken into account as the data for our analysis and forecast. These areas can be considered as a kind of laboratory, in which cultural and civilisation processes—significant not only to Ukraine but also to neighbouring countries—will be demonstrated. Such a laboratory will make it possible to determine empirically if, and to what extent, the individuals, institutions, and entire communities that are the most familiar with border issues are mentally and psychologically prepared for the forthcoming changes. It will also demonstrate what types of mental blocks (fears, prejudices) can be expected from the groups that do not share the experience of the borderland people.

Taking into account the peculiarities of Ukraine's ethnic and state history, it is worth mentioning some of the features of its western 'laboratory'. On the one hand, the western border of Ukraine is frequently considered to be the frontier of Eastern civilisation

in the cultural, religious, political, and legal sense. On the other hand, this border connects rather than divides communities with similar and relatively recent state history and civilisation experience. In the 1990s, those communities began the process of disengagement from the socialist state's organisational, political, and industrial structures.

On the above grounds, empirical research into the social attitudes towards change in the nature of the border should be useful to politicians and the public-at-large. In our opinion, some type of research that focuses on public opinion as well as on individual and collective life strategies adopted by people in the region would be of particular relevance.

The opinions and attitudes towards the situation on the border, and to possible change manifested by people who perform functions and roles that are important for local communities, are particularly interesting. In other words, members of the local elite are noteworthy, because their points of view and actions are particularly visible in the public eye and often serve as an example for the attitudes and actions of other members of the community.

This report deals with the attitudes and reactions of representatives of two local communities of the western borderland—Lviv oblast and Transcarpathia oblast—to the following:

- the present-day social situation directly connected with the openness of the western border,
- the projected effects of securing Ukraine's western border on the western borderlands, when the border will in the near future become the frontier between the European Union's and Ukraine's external borders.

Those beliefs should be given particular attention, due to the fact that they remain under the direct influence of the vicinity of the state borders, whose functioning will soon undergo a rather radical change. This change will indeed be radical, because it will practically divide the countries involved after the enlargement of the European Union.

We are also interested in the attitudes and opinions in question because they are created and popularised by social entities (individual and collective ones) that are situated in a broadly understood border region alongside the present-day official western border of Ukraine. Their substance relates to those borders and to their nearer and more distant environs.

Basic research information

Brief information on methodology

The research forming the foundations of the report was fielded in the first half of September 2002 and was based on the interview method (and, to a lesser extent, on the observation method). It was carried out in accordance with a qualitative research methodology, which is typical for humanistic sociology and social anthropology. This technique was selected because of its best correspondence to our basic research goals; specifically, it makes it possible to reach 'deeper layers of consciousness' than the survey type of research.

The empirical basis of the research was provided by interviews (which typically lasted over an hour) with groups of opinion leaders representing selected local communities in the western borderland, namely those of Lviv and Transcarpathia oblasts. Respondents were selected on the suggestion of:

- representatives of local authorities (selection of elite by the elite itself);
- residents of the area;
- interviewers who come from and are familiar with the given border region.

One should add that the selected respondents may be considered experts in at least one of the three dimensions in which the situation in the borderland can be perceived, i.e., the economic, sociocultural, and political dimensions.

The interviews were held in the form of free conversation, which was, however, conducted according to a precisely developed scenario. It should also be added that persons were included in each of the research teams

who came from the given area and were well familiar with the situation and specifics of the researched region. This was helpful in the selection of interviewees and in animating the interview, particularly in the case of delicate talks on sensitive subjects such as national and religious identification and participation in the 'grey' economic area and in other illegal activities.

Taking into account the above factors, respondents represented different social and professional categories. The respondent list included the following categories of persons:

- representatives of local authorities (central administration) and local self-government (councillors);
- local entrepreneurs engaged in:
 - typical border region economic activity (import-export),
 - activity not connected directly with import-export but still based in the borderland,
 - individual activity or running a family firm or a medium-sized company;
- representatives of organisations and minority associations;
- members of national minorities (including immigrant settlers from neighbouring countries);
- clergy of different religious denominations (depending on the religious denomination pattern in a given municipality).

Interviews were conducted, as already stated beforehand, according to a scenario whose form and substance were precisely developed.

From the formal point of view, the interview was divided into two parts: (1) the main section, which was identical for all the respondents; and (2) the variable, complementary section, depending on the type of respondent. Complementary scenarios were developed separately for each of the above-mentioned categories of respondents.

In terms of the substance of the interview, according to the pre-planned scenario, it consisted of several thematic blocs (relating both to the permanent and the variable section of the interview).

The first thematic bloc contained questions concerning the period when entrance to neighbouring countries did not require a visa, namely, the present-day situation at Ukraine's western border.

The second thematic bloc contained questions on the period following the introduction of a visa regime, e.g., on the effects of the introduction of mandatory visas by

Poland and Hungary (Slovakia has already introduced its visa regime) on their borders with western neighbours.

The third thematic bloc contained questions oriented at obtaining a deeper understanding of economic processes relating to the situation on the state border and in the border region.

The fourth thematic bloc contained questions aimed at revealing sociocultural phenomena associated with the situation on the state border and in the border region.

The fifth thematic bloc included questions which directly relate to political and legal matters in connection with the situation on the state border and in the border regions. This bloc contained questions which were directed only at local politicians who represented either local government or the central administration.

It should be emphasised that the last three thematic blocs, which we underlined due to the type of dominant characterisation of the situation on the border and in the border regions, overlap with the two thematic blocs which had been presented before, and are based on the time criterion.

Scope of analysis

The interviews with selected representatives of the two local communities of the western borderland were intended to:

- Firstly, diagnose the social attitudes of the local elite towards the present-day situation in the borderland.
- Secondly, determine the ways in which the respondents perceive the effect of such a policy on their local communities.
- Thirdly, project their image of the 'situation on the western border' of Ukraine with both Poland and Hungary after it

becomes 'secured' in accordance with European Union requirements and Schengen rules, and to elicit what type of public feeling they expect in their communities.

This general research task was carried out with the use of relevant data collected through interviews, observations, and from monographs in three separate albeit complementary dimensions, namely economic, social and political. Division of the general analysis into three detailed ones, concerning each of the dimensions individually, allows, in our opinion, for a better

characterisation of social attitudes towards changes at the western border. Therefore, in this report, we present our analysis of the empirical material in three parts. The first part concerns the economic dimension of the situation at the border, the second one touches the sociocultural dimension of that situation, and the third one deals with its political dimension.

Economic: In the first part, dealing with economic factors, we analyse cross-border economic cooperation and its social and civilising effects on the region and its leading actors.

Social and cultural: In our second-part analysis of sociocultural factors, we concentrate on the social situation at the border and its impact on social ties, particularly family ties between persons on the two sides of the border. While analysing this second dimension, we take into consideration the character of those ties and their dependence on the openness or closure of the border. We also consider the factors which enable continu-

ous cross-border cultural cooperation (formal and informal ones) between individuals, groups, and organisations.

Political: While dealing with political factors in the final third part of the analysis, the focus of our research becomes the system of central and local administration in the Ukrainian borderland. We approach the situation at the border—both the present and the future one—from three perspectives:

- firstly, from the point of view of the interaction between the central and local governments in the borderland;
- secondly, from the perspective of different forms of inter-regional cooperation between organisational units (municipalities) on the two sides of the border;
- thirdly, from the perspective of the relations between different units of local government and the central administration in the context of the new border policy.

Attitudes of local citizens in Transcarpathia towards the western borderlands of Slovakia and Hungary

Introduction

This part of report explores the opinions of individuals who live in the Transcarpathia region, and their feelings towards the borderlands of the Slovak Republic and Hungary. Transcarpathia shares a unique historical experience with these neighbouring countries; there is a very close social and cultural relationship between these countries and the region. This report will examine the historical and geographical factors that contribute to the special relationship that is shared by Transcarpathia and these regions. These historical and geographical factors help to explain many of the current feelings and attitudes towards these borderland countries. A special focus will be made on the reaction of individuals in Transcarpathia to the possible enforcement of a visa regime between the Hungarian and Ukrainian borders. The effects of the present-day visa regime enforced in Slovakia will also be examined.

Hungarians are a large minority group in this region, and Slovaks also make up another, smaller, ethnic minority. These groups are well organised and have many contacts with their homeland. The numerous Hungarians have many activities in which they cross the border into Hungary. These groups have much support from the Hungarian government in pursuit of their cultural activities. If a visa regime was imposed, there would be a cost to obtain the visa. Members of minority culture organisa-

tions are not extremely worried about the cost of a visa, as these costs would be endured by the organisations. This is not the case with individuals; the cost of a visa is a determining factor for the average individual. It may be too expensive for an average individual to purchase a visa every time he/she wants to cross the border.

Of the respondents interviewed, many agree with the statement that a closed border would hit the economy hardest. Many individuals make a living by crossing the border to work. Also, many are involved in trading between the two countries; a closed border would certainly affect their income. Tourism makes up an important part of the economy in the Transcarpathia region. A closed border would make it more difficult for tourists from across the border to visit this region.

This paper also examines the opinions of the few respondents who feel that a closed border will have a positive affect on the economy. A closed border will permit the large “shadow” economy, which today is a reality along the border, to be decreased. This will benefit business owners who have to compete with the cheaper prices on items in the shadow economy. There is also the hope that a closed border would increase the demand for Ukrainian products. Given that there are short-term and long-term effects to a closed-border regime, time must

pass before any proper conclusions can be made. This paper will conclude by discussing the perceived notions of what the

short and long-term effects of a visa regime system would be for the Western Ukraine's affected regions.

Historical Background

The relationship that the Transcarpathia region has with both Hungary and Slovakia is very close with respect to social and cultural cooperation and contacts. This cooperation is obvious in the case of Hungary, as the border between these two countries is still open.

Specifically, there are some historical and geographical conditions which allow for a high level of cooperation between Ukraine and its neighbouring countries in the western region.

First of all, Transcarpathia only joined the Ukrainian SSR in 1945, in the border changes which happened after the Second World War; during this period, Ukraine was a part of the Soviet Union. Before 1945, different parts of Transcarpathia were either under Czechoslovakian or Hungarian rule. After the Transcarpathia region became a part of Ukraine, the government of the USSR imposed a new border with Czechoslovakia and Hungary. Unfortunately, the border was artificial, and the USSR did not take into account the distribution of different ethnic groups on this territory. As a result, the border created by the Soviet Union divided whole ethnic communities of Ukrainians, Hungarians, Romanians, and Slovaks. As a result, Transcarpathia has a large ethnic minority of Hungarians (about 13–15%) and also a smaller ethnic minority of Slovaks (about 1.5%). On the other side, there are large Ukrainians minorities in Hungary and, especially, Slovakia.

Secondly, there is the specific geographical disposition of the Transcarpathia region. Transcarpathia is detached from other regions of Ukraine by the Carpathian Mountains, which, coupled with poor transport connections, limits the contacts

between this region and other parts of Ukraine. This geographic difficulty with the rest of Ukraine makes cooperation between Transcarpathia and other borderland regions more natural and convenient. For example, the train ride to Ukraine's capital, Kyiv, takes approximately 18 hours, whereas the border with the Slovak Republic is just beyond the city line of Uzhhorod, the oblast or regional administrative centre (and the city where our interviews were conducted).

As a consequence of its specific historical background, this region's inhabitants have strong family ties with neighbouring countries. First of all, according to the respondents, almost all the members of ethnic minorities, both Hungarian and Slovak, have relatives in neighbouring countries. On the other hand, a significant part of the Ukrainian population also has relatives among the Ukrainians living in Slovakia and Hungary, and the respondents claim that their number is not less than among the others. For example, the Ukrainian minority in Slovakia is very developed, and the organised community tries to preserve Ukrainian culture. Taking to account the fact that the border was changed in 1945, most of the relatives are near, and family contacts are still intensive.

The respondents also draw attention to another reason for the intensification of social cooperation based on family contacts, namely, to international marriages between citizens of neighbouring countries. Marriage is the most common reason for emigrating to a neighbouring country. When couples of different citizenship get married, it is likely that they will leave Ukraine and settle down in the neighbouring country.

Also, respondents frequently mentioned that due to the fact that the different ethnic

groups have lived together on this territory for a long time, most of the inhabitants of Transcarpathia speak or at least understand the ethnic minorities' languages, namely Slovakian or Hungarian. Thus, knowledge of foreign languages and intensive family contacts enlarge the scope of cooperation between peoples of neighbouring countries—not only in the cultural dimension, but also influencing business cooperation in a positive way. Moreover, having this knowledge of foreign languages allows youth the possibility to obtain an education in Slovakia or Hungary.

Some respondents mentioned emigrating to the neighbouring country as a negative aspect of such close relationships with neighbours, because often the emigrants leaving Ukraine are highly qualified specialists, like physicians, teachers, musicians, etc.

Another aspect of cross-border cultural cooperation is the activity of organisations representing the Hungarian and Slovak ethnic minorities in Ukraine. Despite the substantial difference between them, with the Hungarian minority being ten times larger than the Slovakian minority, there are five Slovak organisations in the region. These organisations mostly engage in cultural, educational, and publishing activities.

Due to the fact that Hungarians are a large ethnic minority in the region, they have over 15 organisations, and the scale of their activity is much broader. Among their activities are participating in conferences, festivals, and other events that take place in Hungary. These groups also organise local cultural events for members of their minority, as well as the publishing of books, Hungarian newspapers, and different types of educational activities, like student and teacher exchanges. The respondents who represented one of the most active Hungarian organisations claimed that it conducts nearly 80 such events and programs per year; as well, that they were invited six times to Hungary for cultural events during the first half of this year. In general, they noted that the Hungarian government completely supports the cultural life of their minority in the Transcarpathia region.

Almost all the interviewed respondents wanted to emphasise during the conversation the very tolerant and friendly coexistence between all ethnic minorities and the Ukrainian majority in the region, and the absence of any kind of national conflict. They perceive such coexistence mostly as advantageous for both sides. The representatives of minority organisations also expressed this opinion and highly appreciated the support of their activity from local authorities.

Securing the border

Social and cultural dimension

The respondents were divided in their opinion about the consequences of securing the border. Almost all perceived it as a negative thing for the borderland region, but some respondents claimed that the changes would not greatly affect the relationship between local communities. For example, they referred to the experience of securing the border with Slovakia; however, these respondents did recognise that the close of the border with Hungary could cause more prob-

lems because of the more intense cooperation between Transcarpathia and Hungary.

To summarise the respondents' opinions, securing the border will not hinder the strong institutional forms of cooperation, including economic cooperation, between cultural or educational institutions. It will not be a problem for businesses or organisations that actively cooperate with cross-border counterparts to pay for visas. However, it could hamper individual contacts, i.e., fam-

ily contacts, because income levels are rather low in the region and the cost of a visa can be a real obstacle for the residents. For example, the priest of a Greek Catholic church that serves nearly 30% of all such parishes in this region will have a problem, because the pilgrimage to Hungary that happens several times a year will have to be stopped after the closure of the border. In general, the respondents expected that almost all persons who now frequently visit Hungary would have to apply for a visa in order to continue their activity there.

Some of the respondents—even realising the disadvantages of implementing visa requirements for their region and for ordinary residents—generally expressed their understanding of the inevitability and general necessity of this step. The respondents realised that visa requirements are aimed at building a more civilised and regulated form of cooperation with neighbouring countries. On the other hand, due to the specific history and disposition of this region, the inhabitants have a special way of life and perception of their relationship to Europe. Importantly, they consider themselves as being more European than other Ukrainians. Therefore, they fear being isolated from Europe because of the border, and now they have nothing to do but wait until Ukraine also enters the EU.

In general, respondents mentioned two main problem concerning securing the border. The first one was connected with the cost of visas, which is expensive for some categories of Ukrainians; and the second was connected with the difficulties of obtaining a visa. They foresee that long and complex procedures on the border will decrease the number of spontaneous cross-border trips.

There is a significant difference between the Hungarian and Slovakian borders concerning this aspect of the problem, because the number of applicants for visas to Hungary will be much higher. Therefore, the respondents fear that the Hungarian consulate will be coping with a large volume of applications for the first several months.

Representatives of local authorities

This group of interviewees was selected from among the local government, regional (oblast) government, and state administration of Transcarpathia oblast, as well as representatives of the Transcarpathia Special Economic Zone. The respondents were selected on the basis of their positions, given that the departments they work in deal directly with the problems of cross-border cooperation.

Attitudes towards the present-day situation at the borderland

Transcarpathia borders four Eastern-European countries: Hungary, the Slovak Republic, Romania, and Poland. All the respondents felt that these shared borders have a direct impact on government policy, economic development, and people's lifestyles. Among the most essential characteristics of the region's borderland position named by respondents were the following:

Economic dimension

- Transit money. The region gains money from car and tourist transit through the border and its territory.¹
- Tourism. There are a lot of historical sights in the region, in addition to the Carpathian Mountains, that are great for tourists. That is why tourism is viewed by many respondents as one of the major

¹ Papariga Yaroslav, Ministry of Foreign Affairs of Ukraine, Department in Uzhhorod, first secretary.

spheres of revenues for the region. Tourists from border countries constitute the majority of the region's international tourists.²

- Investment. The historical ties with Slovakia and Hungary, along with the close geographical situation, stimulate investments into the economy of the region.³ In other words, it is easier and more comfortable for Slovakia and Hungary to invest money in the territories they are familiar with and that are near their own country.
- Employment. Transcarpathia has one of the highest levels of unemployment in Ukraine; and many people make their living from cross-border trade.⁴ Differences in the prices of goods and their availability are turned to traders' advantage. During last year, much of the population of the region made their living by working legally or semi-legally in companies/enterprises in neighbouring countries.⁵
- Cross-border trade. A large percent of the local population is heavily involved in cross-border trade; this is the most common way for people to cooperate. Nevertheless, the respondents noted that the situation with cross-border trade has been changing during the past year, with cross-border trade now having become more civilised. This is a consequence of increased prosperity, with some traders prospering enough to

move on from retail sales to wholesale trading, while increasing the variety of what they offer and the value of their goods. Thus, cross-border trade now takes place not only between agents (individuals) but also between small and medium enterprises.⁶

Administrative dimension

- Departments of cross-border cooperation were created not long ago within the structure of local governments and the state administration.
- National and local governments cooperate with neighbouring country governments on the basis of Transcarpathia regional treaties. Respondents emphasised that the most active cooperation has appeared between this region and cities of Slovakia such as Kosice, Mihailovce, Bratislava, and Hungarian cities such as Budapest, Nyiregyhaza.
- The state administration regularly organises "good-neighbour days", which have become a real step towards cultural and political understanding.
- Local government takes part in visa preparation.

People's lifestyle

- Many inhabitants of Transcarpathia have families, friends and acquaintances across the border.⁷

² Vartsaba Andrii, Department of Cross-border Cooperation and European Integration, State administration of Transcarpathia Oblast, head of department.

³ Popovich Emil, economic development department of the Transcarpathia Special Economic Zone.

⁴ Nuser Ernest, deputy of head of state administration of Transcarpathia Oblast.

⁵ Lukach Oleh, deputy of local government.

⁶ Nuser, op. cit.

⁷ Popovich, op. cit.

- Also, there are many Slovak and Hungarian communities on the territory of the region.⁸
- It was pointed out that minorities have more preferable living situations on the borderland, because they have a higher possibility to communicate with their native ethnoses.⁹
- Nowadays, mixed marriages seem to be a natural matter, because these nations have been living together for many years.

The respondents draw attention to this, as well as to the interesting consequence that the mentality of the local population combines the national characteristics of neighbouring nations. Moreover, most respondents characterised this feature (being a borderland) as being a favourable one.

Among the advantages of the borderland the respondents often named the following:

- Historical ties and close geographic situation make it easier to access investments;
- Ability of the population to be employed in neighbour countries or to be involved in cross-border trade;
- Development of cross-border trade at the level of small, medium, and big businesses with neighbour countries;
- Having a lot of historical sights and the Carpathian Mountains, Transcarpathia is a great place for tourists, especially because of its close location to European countries;
- The region gains income from car and tourist transit through its territory;

- The European mentality of the local population, including property owners and law-abiding citizens;
- The local population can speak several languages;
- Cultural and academic exchanges are easy to access from other regions of Ukraine because of the direct connections.

Among the disadvantages of being on the borderland, respondents named the following most often:

- Labour migration from neighbour countries, which causes a rise in the level of crime in the region;
- The region is a transit territory, and this causes several ecological problems;
- Cross-border trade restrains the development of Ukrainian manufacturing production.

Introduction of a visa regime

The introduction of visa regime on the border with Slovakia, and possible introduction of one at the Hungarian border, were strongly criticised by most respondents. Such a negative attitude was explained by the respondents using the following arguments:

- It will slow the economic development of the region.

The respondents pointed out that it would have a most harmful impact on small and medium-size enterprises, because visas might be quite expensive and difficult to get for them. Thus, it will reduce cross-border trade and make it accessible only to big enterprises.

⁸ Papariga, op. cit.

⁹ Nuser, op. cit.

Also, introducing a visa regime will probably increase unemployment in the region at first. However, many respondents predicted that in the long term, the Ukrainian labour force will be able to reorient, which happened after the implementation of visas on the Slovak border.

A significant number of respondents stated that “closing the border” will negatively effect tourism and service spheres, which now bring great benefits to the local budget.

- Introduction of the visa regime might raise social problems. It is common for family members from Transcarpathia to work abroad in Hungary or Slovakia; a visa regime would make it more difficult for them to communicate. Also, it would be more difficult for relatives and national minorities to visit their families abroad.
- Many respondents were afraid that it would reduce cultural and academic exchanges; they mentioned such problems after the “closing” of the Slovak border.

Nevertheless, respondents predicted that the number of Ukrainian citizens who will want to get (Hungarian) visas would be quite high. They also said that the number of peo-

ple who get visas to Slovakia fell since the implementation of the visa regime, but not significantly.

Respondents, even though they were strongly negative about closing the border, also named several potentially positive effects:

- It will stop chaotic cross-border trade such as smuggling;
- It will stop the transition of labour migrants;
- It will re-orient Ukrainian enterprises from raw material trade to own production, which will develop the economy of the country and the region in the long term.

Most of the respondents expressed strong negative opinions on the introduction of a visa regime, which they augmented with future negative economic and social effects. Moreover, they emphasised that such effects will be experienced on both sides of the border.

Only a few respondents drew attention to the possible positive effects that could appear with the introduction of visa regimes. They also pointed out that such positive effect could be experienced only in the long term.

Attitudes towards the situation when the western borders of Ukraine are not secured

Economic dimension

The surveyed people in Uzhhorod perceive the situation, when the borders of Ukraine with Slovakia and Hungary are not secured, in economic, social, cultural and political terms.¹⁰ This study covers all these dimensions, however, we start with the economic

aspect, which seems to be especially important in the context of the region, while social, cultural and political issues will be discussed later.

The respondents perceive the western border and the borderland from the perspective of their influence on:

¹⁰ In fact, the situation when the Ukrainian-Slovakian and Ukrainian-Hungarian borders were not secured has passed. Today anyone who wants to enter Slovakia needs an entrance visa.

- total income of individuals and families and their income sources, standards of living in Uzhhorod;
- financial situation in different entities;
- the economic situation in the town, region and in the country.

Respondents emphasised that the financial situation of a significant number of individuals and families directly depends on cross-border activities. Transparent borders allow them to get a better job in the bordering states, as well as the possibility to arbitrage prices.¹¹ Respondents' estimates of the fraction of individuals who are involved in cross-border trade, smuggling,¹² and job seeking were quite different; however, they all agreed that for many people in the oblast with little regular work, it was the only source of income.

A location close to the borders creates opportunities not only for individuals, but for businesses as well. Respondents often stressed that Transcarpathia oblast is separated from the rest of Ukraine by the Carpathians Mountains, and that it is much easier to get to Budapest and Bratislava than to Kyiv. So, their enterprises are much more oriented on international cooperation than are enterprises in other regions of Ukraine.

Businesses on the Ukrainian side of the border participate in different types of cooperation:

- export and import of goods and services;
- import of technologies, know-how;
- import of capital.

Small distances to neighbouring countries create obvious benefits to businesses in the area of export and import of goods and services, namely, low transportation costs and relatively large markets. It determined the profile of these firms for some time. However, close relations and small distances are an advantage not only for the transfer of goods but also for the transfer of knowledge, technologies, and capital. A majority of respondents from the business sector said that they have no permanent employees who are citizens of foreign countries; nevertheless, they often hire temporary, usually task-oriented, foreign consultants. Some managers mentioned that they get benefits from employing workers who improved their qualifications abroad. Most businessmen also stated that their location helps them to adopt new technologies, because if something goes wrong it is always possible to go across the border and see how it works there.

Respondents believed that geographical location is an important determinant in many investment decisions. Examples are the "Eurocar" assembly plant, the cable production company "Madish and Madish", and recent project of "Inter Group Auto", worth about 10 million USD.

As we can see, neighbouring countries influence both legal entities and individuals, giving them additional opportunities. However, respondents reported that problems resulted from the borderland location, as well. Some of the problems reported were objective; different kinds of respondents were concerned with them. These were the usual disadvantages of increased traffic, delays, illegal migrants and their camps, etc.

¹¹ "Do they cooperate? They look for a job there... It is cooperation and business, petty trade. Many people make money by selling petrol in the bordering countries (because petrol is cheaper in Ukraine) and by buying food there and selling it in Ukraine (it might be surprising, but food is cheaper in Slovakia than in Ukraine)."—Businessman 1.

¹² Although it is not very important for this study to distinguish between legal and illegal activities, we would like to point out that cross-border trade is not illegal per se in Ukraine. Only some of the goods brought to Ukraine from the bordering counties are smuggled.

Another group of problems was reported only by businessmen operating a legal entity. They claimed they suffered from competition related to cross-border activity. Construction companies find it hard to hire qualified workers in Ukraine, because they can find a better-paid job in Slovakia; and retailers have problems selling products because the same products can be bought from individual traders, who do not pay customs duty and therefore can ask lower prices.

Although it is hard to estimate the overall economic effect in numbers from cross-border cooperation, we, as well as our respondents, believe that despite some problems that have an offsetting effect, cooperation with neighbouring countries improves the welfare of the given town, region, and the entire country.

Securing the western borders – evidence and forecasts

In this part of the paper, we present the opinions of inhabitants of Uzhhorod regarding the changes on Ukraine's western borders. The situation in Uzhhorod is unique, because the town is situated near the Slovakian border and not far from the Hungarian one. The Slovakian border has already been secured, while Hungary is expected to introduce visa requirements soon; thus, it is easy to compare the borders with different status.

Economic dimension

In the previous part of the paper, we showed the importance of cross-border cooperation

for the region. In this part, we analyse the viewpoints and forecasts of our respondents regarding the introduction of the visa regime.

The economic consequences of the secured borders are the most common concern of the respondents.¹³ Although they expect a negative effect on cross-border cooperation, we do think it is worthwhile to additionally distinguish between the short-run and long-run effects, as well as the different effects on petty traders, relatively large businesses, and the economy as a whole.

Although most of the interviewed people focused on the short-run effects, which are very likely to be negative, only two groups of people would lose permanently in both the short and the long run—petty, usually unofficial traders and people who used to work abroad.

Petty traders will suffer the most both in the short and in the long run. Their numbers will fall rapidly, due to the relatively large costs related to obtaining a visa. While there are enough regular jobs in the oblast in order to employ all people who stop cross-border trade and smuggling, if such people are employed they are very likely to get a worse salary (compared to their previous income); thus, their standards of living will get worse as well.¹⁴

Another group that will suffer permanently effects is comprised of people who used to work in the neighbouring country. Their numbers will fall, especially the numbers of those officially employed in the neighbouring country.

¹³ People worry about other aspects as well, which will be discussed in the next part of the paper.

¹⁴ Another issue relevant to this discussion was raised by one of the businessmen, who touched on both psychological and human-capital problems. Under psychological problems he meant that many people who are accustomed to going across the border to buy and sell do not want to take regular, full-time jobs. Another problem he is concerned with is the deterioration of human capital. He says that traders lose their skills and qualifications, and after many years when a lot of people have traded across the border, the oblast may face unemployment problems—vacancies but no qualified people, whereas there are many ex-traders who are sometimes unwilling, sometimes not capable of doing a job. He also states that at the moment he has a vacancy. The payment is higher than average wages in Ukraine and double the average wage in the region; however, there are no applicants.

According to respondents, in the short run, legal entities for which cross-border cooperation is important will also suffer, due to the additional administrative costs related to getting visas and learning the new rules of the game. These costs will vary and will depend on the particular business activity; they may be substantive in some cases. The smallest and weakest businesses, which cannot afford additional costly procedures, are likely to leave the market. The remainder, however, will learn how to work in changed conditions and make the necessary organisational changes—which might end up being more painful for employees rather than employers. Most businessmen interviewed stressed that they will get or have already got a visa that is valid for some months, and they will visit the neighbouring country as often as before.

One respondent predicted that his firm might even gain in the short run. Interestingly, he owns an appliance shop. He noted that cross-border traders and smugglers, who offer their goods at small open-air markets, create strong price competition for his shop, because the petty traders and smugglers offer the same goods at a lower price.

The argument about winners from limited competition holds for other situations, as well. For example, firms may get better workers for a lower price because the visa regime decreases the number of external opportunities for many people.

In the long run, the changes will be unobservable for surviving businesses, and they will probably end up gaining from the clarification of certain rules of the game.

Survey respondents believed that in the short run, the overall effect on the economic situation in the region will be negative. Contraction of the number of self-employed

traders, as well as the number of Ukrainians employed in Slovakia and Hungary, will raise unemployment and decrease the incomes of some people. This, however, is unlikely to affect public revenues directly, because the income of the mentioned groups is usually hidden in the “shadow” economy. Anyway, it will affect the expenditure burden of the government, because of increased applications for social support. Moreover, decreased personal incomes will have an indirect negative effect on government revenues, due to the contraction of demand and, consequently, of indirect taxes paid.

Local firms will also contribute to the unemployment problem. On the one hand, as it was mentioned above, some of them will leave the market. Other firms will adapt to the new conditions, which often result in the loss of jobs.¹⁵

The respondents felt confident when discussing the short-run effects of border securing. It is not surprising because they have had some experience at the Slovakian border. Evidence suggests that the introduction of visas will have an immediate effect on trade volumes, which have fallen rapidly and recovered only partially to date. The effect on unemployment has been weak, owing to the liberal regime at the Hungarian border; people changed their orientation and started to visit Hungary. Some of the interviewed people think that a similar reaction may weaken the negative unemployment effect from the Hungarian border closure, with job seekers going to Russia or eastern Ukraine.

We observed that respondents were less confident when speaking about the long-term effects of the border closure. However, many of them were optimistic.

First of all, they believed that the economic climate on the bordering territories is

¹⁵ One respondent acknowledged that the change in the regime at the Slovakian border lead to organisational changes in his firm; part of the operations moved to Lviv, which was accompanied with job contraction.

smoothing over time. Thus, when Transcarpathia oblast has a common border with the European Community, this will force the development of the oblast.

Secondly, closure of the border will shift resources from trade to production, which in turn will hopefully promote stable economic growth of the region.

Thirdly, the decrease of imports will simplify conditions for the work of domestic production enterprises—which is not unlike protectionism.¹⁶

Summing up, we can say that our respondents have the following expectations about the long-run economic consequences of the introduction of visas on the Western Ukrainian borders:

- In the short run, individuals, firms, and region will lose, on average, due to:
 - the contraction of trade;
 - increased unemployment;
 - deterioration of the fiscal balance.
- In the long run, it will promote growth in the oblast, because
 - the least productive cross-border trade will be cut off;
 - the “shadow” economy will be reduced;
 - strong and above-board businesses will not be affected (at least not negatively).

¹⁶ We should mention the opinion expressed several times that, closing borders, Slovakia created problems for itself, because it lost a significant part of the Ukrainian market, which is beneficial for its local enterprises. “Closure of the Slovakian border above all affected the Slovakian economy. Transcarpathia oblast inhabitants adapted quickly: somebody goes [cross-border], somebody focuses on domestic products, that is, they do not bring Slovakian goods in [Ukraine] any longer, ... they work with our [Ukrainian] goods, and it is beneficial for us [Ukraine].”—Businessman 6.

Attitudes towards the present-day situation alongside Lviv region's border and in the borderland

Economic dimension

The surveyed community leaders in Lviv region perceived the present situation at the western frontiers of Ukraine in economic, social, cultural, and political terms. The Lviv region borders Poland, and in order to cross it citizens of Ukraine do not need a visa.

We commenced our research when the question of introducing the new visa rules was becoming more and more timely, given that in 2004 Poland will join the European Union, which demands new conditions for border crossing, especially for Ukrainian citizens. In respondents' answers, the economic aspect had one of the dominating positions; that is why we approached this question from the economic point of view.

Respondents perceived the western border and the borderland from the perspective of their influence on:

- the financial situation of individuals and families, and on the quality of their lives and sources of income in Lviv region;
- the financial situation of various economic entities, ranging from factories to firms in the trade and services sector;
- economic conditions in towns, the region, and the country.

Respondents emphasised the strong direct relationship between the financial conditions of economic entities and the situation with cross-border activity, which includes both trade and transport services, as well as the activity of small and medium-sized business. Transparent frontiers allow citizens of Ukraine not only to cross them, but also to look for jobs in Poland. That, in its turn, has stimulated people to start new small businesses; it was especially popular 5–7 years ago. A lot of people are still engaged in the trade business between Poland and Ukraine,¹⁷ especially at the level of small villages and towns, where the possibility to find work is low.

The close border location to Poland of Lviv region determines the development of different kinds of businesses with Polish firms and companies; in general, these are firms which work in the furniture industry (Polish technologies, Ukrainian materials), tourism, trade, services, and education. Some of the respondents stressed that such type of cooperation in trade is specific to the early, informal stage of trans-border economic cooperation. It is expected that there will be more such contacts in the future, and that they will become more institutionalised.

According to the respondents, there is a strong belief that economic cooperation will change its form, from petty trade to larger-scale business.

¹⁷ "How do you think we managed to earn money to open this cafe in Lviv? We earned it in Poland, buying some goods there and selling them here, that helped us to have some money for much more serious business."—Businessman 1.

Western Ukraine's location also gives an advantage to those firms and entities which export and import goods and services. It is not always so that owners of such firms employ a lot of workers, but then they would employ people seasonally.

A lot of respondents also stated that this close cooperation with Poland stimulated the development of the region from different aspects such as culture, tourism, small business, people's mentality, etc.

As for the influence of location on the regional economy, it provides good income to local budgets, but this cooperation

(Polish-Ukrainian) at the level of very small businesses is starting to lose its importance.¹⁸

Summarising the answers of all respondents, we can say that the geopolitical situation of Lviv region plays an important role in the life of its citizens. None of the respondents pointed out any negative effects of Polish-Ukrainian collaboration, although there were some concerns concerning heavy traffic, lots of lorries, and worsening of the ecological situation; but also it was pointed out that we should take it into account and adopt special laws to regulate it.

Social and cultural dimension

According to the interviews, all respondents appreciated the contacts between neighbours on the two sides of the border. In their opinion, since the late 1980s, the changes that encouraged border opening also greatly intensified direct cross-border contacts.

The respondents perceived this change not only from the point of view of treaties on friendly neighbourliness, but also mostly from the perspective of local communities' needs. Many inhabitants of Lviv region have families, friends, and acquaintances in Poland. In their opinion, opening the border is very advantageous, because it makes it possible for families to establish new contacts and refresh the old ones.

Such cross-border family contacts were particularly animated Lviv region at the beginning of the 1990s, when a sense of personal freedom and freedom to decide led to many instances of family 'reunification'. According to the respondents,

around that time many people wanted to visit the places where they were born. In the following years, this spontaneous process of renewing family contacts evened out. Those contacts are still intense, according to the respondents, but more and more frequently they are economically motivated, or manifest in the desire to visit another country.

As for international marriages, according to the respondents they are not widespread. There are such examples, but mostly respondents said that they have only heard about it, not that they knew specifically about examples of international marriage.

For the respondents, an open neighbourhood was also an advantage because it stimulated a grassroots explosion of institutions and cultural, social, and religious organisations in the borderland communities. A lot of respondents stated that for them, Polish was not a foreign language; children learn it at school, they watch

¹⁸ "There is no sense to go to Poland to buy a small consignment of goods, you can go to Lviv and buy the same nearly for the same price at the wholesale depot centres in Lviv, or other cities situated not far from the Polish border."—Businessman 1.

Polish TV channels, and can read in Polish.¹⁹

Many respondents spoke warmly about the local authorities in connection with their participation or initiative in cross-border cultural contacts. Also, it should be added that Polish people in Lviv region are not treated as a minority. There are also a number of cultural centres and Polish schools in Lviv region. The Latin-rite Polish/Roman Catholic Church is one of the strongest churches in Lviv region.

With regard to some conflicts between Polish and Ukrainian peoples, mostly this implied the memory of past Polish-Ukrainian conflicts, wrongs, and resentment, as well as the influence of larger politics.²⁰ It was also stressed that the impact of history and big politics was relatively stronger in the case of older inhabitants of Lviv region, while the young ones build mutual contacts without looking back to the past.

Respondents in Lviv region thought that the situation on the border was not only con-

ducive to strengthening family ties or international marriages but also especially conducive to economically motivated social contacts. Many stressed the importance of commercial contacts, which, in their opinion, make social contacts easier. Respondents said that typical business meetings often turned into strong and lively friendships, after the people have come to trust each other.

A lot of respondents were happy that a lot of Polish people come to see Lviv and visit their acquaintances here in this region. In general, all types of social ties created “at the bottom” instil belief in the cooperation and similarity of cultures and of people on both sides of the border.

In summary, in the opinion of respondents the current openness of the western border is conducive to various contacts, i.e., with family, friends, and cultural, educational, and religious centres. This is important that it allows not only for the countries to work on good relations, but people (and institutions) from around the border can also initiate and cultivate good relations.

Political dimension

Respondents regard the situation at the border and its regions also from the perspective of Ukraine’s and neighbouring countries’ political systems. Most respondents—especially representatives of local government—spoke about regional policy as a part of national policy concerning international relationships, including Poland.²¹ As a result, it is rather difficult to talk about local needs

and expectations with respect to local policy, because as a separate one it almost doesn’t exist.

Among the most important limits and hindrances in politics carried out pursuant to the recommendations of central authorities, the respondents gave the following list:

¹⁹ “We have a constant exchange programs with Polish schools and schools from our city. We always invite sport teams from Poland to participate in our sport events and vice-versa.”—City mayor 1.

²⁰ “The recent story about the Polish cemetery in Lviv is more a political issue than some kind of public one. We do respect the will of Polish people and the sign there means nothing, the main thing is the memory of those people who are buried there.”—City mayor 2.

²¹ “How can we speak about some kind of regional policy – it doesn’t exist as regional policy because it totally repeats the national and international policy, we do not have the autonomy to do it. What we can do – we can make new contacts both in business, education, and culture, but it shouldn’t contradict to the national policy.”—Representative of municipal government 1.

- lack of financial support from central-level authorities, and no independent financing;
- lack of autonomy from central-level authorities to conduct own local policy;
- weak program partners, unprepared organisationally or financially to start cooperation on a partnership basis (refers to partners on both sides of the border);
- lack of legislative regulations, with no executive-type provisions (statutes, agreements) setting forth general principles of cross-border cooperation.

According to the respondents, these factors mean that contacts initiated with local

authorities on the other side remain local; and despite the political will on both sides, they are neither formalised nor have the opportunity to be strengthened. In other words, they do not become an element of “cross-border politics”. Also, we should mention the importance of Ukrainian-Polish forums, which help both sides not only from the business perspective but from the political one.

In summary, in respondents’ opinion, local authorities do not have significant independence—neither political nor financial—from the central-level government, and as a result it’s rather difficult to say that this factor furthers the development of local municipalities.

Securing Ukraine’s western borders: Prognosis and visions

In this part of the report, we will present the opinions expressed by inhabitants of Lviv region regarding the upcoming changes on Poland’s eastern border, especially securing the borders pursuant to EU directives. We will describe the opinions based on answers to questions concerning the short and long-term effects on local communities of securing the borders. We will present the opinions pursuant to the method described above.

Economic dimension

Respondents from Lviv region accepted the idea of new borders in a different way. Mostly they touched on the importance of the economic aspect of the situation of the borders and surrounding areas. Based on their answers to our questions, this aspect will become even more important after the borders are secured.

The people we interviewed took into account mostly the economical aspect of the secured borders. They talked about both the a) short-term effects (immediate changes)

and b) long-term effects (visions and plans) for both Poland and Ukraine.

In general, the immediate effects for both local communities will be largely negative. They saw many disadvantages, and expected:

- A marked decrease in the number of people making a living from cross-border trade. In their opinion, both legal (registered) businesses and wholesalers will refrain from crossing the border for commercial reasons (because of procedural difficulties and because it won’t be worth it economically). They believed that when other possibilities for making a living do not exist, such a situation may destabilise the local community, especially in small cities where the local economy cannot provide people with jobs. This may happen if the secured borders increase unemployment and, in the longer term, make people poorer, including those who have a higher education.

- Negative effects on the service sector in the border region. Connected to fewer people crossing the border, which will generate less demand for specific border crossing services (such as cafeterias, hotels, hostels), this will also generate unemployment and possible economical decline in the region.
- Negative effects on municipalities (not just the oblast centre) as commercial entities. Respondents expected the negatives to be twofold. First of all, the bankruptcy of small business (those which are registered) would decrease municipal revenues; and second, this would decrease income levels of the whole city.
- Decreasing the number of people crossing the Ukrainian border that have the possibility to travel to any EU country without a visa, there is a big possibility that tourism interest will fall steeply.²²

Long-term effects are judged much less critically. Respondents expected the following:

- Strong enterprises will increase cross-border cooperation,²³ i.e., those conducting economic activity pursuant to official agreements and pursuing this activity beyond the border area. In the respondents' opinion, this may clarify economic cooperation and limit its uncontrolled and illegal forms, which would increase investment safety and security.
- Different types of people will cross the secured border. It was expected that petty traders will be replaced by businessmen—people who have more money, take business trips, are better

educated, and have cultural and scientific connections; as a result, this will improve the image of Ukraine as a country.

- It is expected that border crossing rules will be imposed that will not allow criminals to cross the border.
- Re-orientation of small businesses to other spheres, developing a national light industry and national production.

A lot of respondents have taken to new border regulations as normal thing, without any dramatic results for Ukrainian economy. Moreover, there was an opinion that Poland as well as Ukraine will have difficult times, especially in the short-term period, because a lot of small enterprises worked, and are still working, for Ukrainian consumers. In Ukraine, this will be a good chance for self-development, using Polish best practices and experience of cooperation.

Social and cultural dimension

In the respondents' opinion, there will be few negative social and cultural consequences, which was the opposite opinion to that concerning economic consequences. The changes will not affect good-neighbourly relations between families and friends. Family contacts and organised cultural and educational cooperation will remain the same.

According to the respondents' opinions, visas cannot stop cultural relationships nor business ones. Probably it will take more time to get visas, but that doesn't mean it will be impossible to get visas, after all. So,

²² "What is the reason to go to Ukraine, wasting time and money for a visa, if you can just take a car and go to Vienna or any other country, nearly with the same level of prices and with a much higher level of services?"—Businessman 1.

²³ "Perhaps it will make it easier for large companies, those which have large-scale businesses, stronger contacts at the central level. It will be much easier for such companies to survive, because they have a lot of money and influence, both here and in Poland."—Representative of local government 2.

there is no sense to make a big problem of it; whoever used to visit Poland will continue to visit it.²⁴

More difficult than the new procedures and organisational details will be the fewer individual economic contacts. This will have a negative impact on the creation of social ties. It will impact people who do not often participate in cultural activities but are active in trans-border business.

Talking about tourism and the new visas, a lot of respondents stated that they would prefer to go to a country where they do not need visas.²⁵

Political dimension

According to the respondents from Lviv region, secured borders will regulate the rules of border crossing. They did not expect great changes after the time the border will be secured. It was expected that in the beginning, people connected with cross-border activity will be looking for the new business opportunities, and there was a fear that these

opportunities could not be provided by local governments. A lot of the respondents regarded this situation as being a limitation on development.

By the way, respondents emphasised Ukraine's further development as an independent country as one of the consequences of the secured borders.²⁶

In summary, when respondents spoke about the consequences of the secured borders, local politicians talked about costs, losses, fears, and dangers. They focused on the costs mostly and not on the gains. The most important costs were associated with:

- loss of jobs, rise of unemployment, and decline of the local economy;
- new threats to the functioning cooperation with local authorities from neighbouring countries;²⁷
- limiting trans-border contacts, which will increase social and political distances between local communities.²⁸

The secured border: General expectations

In the opinion of all respondents, including representatives of both types of local government (local and state), the fact of border securing between Ukraine, Poland, Slovakia, and Hungary was regarded under

the framework of the rules for European Union enlargement.

The decision was accepted as a *fait accompli*, which did not require any discussion.

²⁴ "Visas will only take time; only those who did go to Poland before will do it. And if we talk about large businesses, it's practically impossible to stop collaboration; Poland is not the first EU country we are working with, so there is no need to make a problem from that."—Businessman 3.

²⁵ "Why should I waste my time getting a visa? I can first go to see my country, and if I want to go to the seaside, I might go to the countries where I don't need a visa."—Businessman 1.

²⁶ "We do understand that it's a fact; how it will influence us—no one knows. But I think that such a situation will cause the development of local territories, as we won't have anyone to count on except ourselves."—Representative of local government 4.

²⁷ "Secured border means that we have to make new contracts and go through again all the procedures, in case it is required by EU standards; that can complicate the cooperation."—Businessman 2.

²⁸ "If we could go to Poland easily without any problems, and if it didn't take time to get a visa at all, with the new procedures I think it will decrease the level of those people who would just go to Poland to see either relatives or to see the country. In the end, we both lose in this situation."—Representative of minority 1.

People just described how it might influence their own lives, from both the positive and negative aspects.

Respondents believed that the fact that the border will be secured will have mostly negative consequences. About the peoples who live in the border region, we can mention:

- a decline in the economic activity of small businesses in the border region, and the possible destruction of small companies and firms;
- lifestyle changes of people who live in these regions and were connected with trans-border activity (and most respondents thought that these changes would not be for the better);
- positive aspects such as strict rules for border crossing and decreased illegal smuggling;
- negative influence on social and cultural spheres.

Among the respondents there was a belief that the consequences of secured borders will be rather difficult for this part of Ukraine. This opinion was that local inhabitants would be discriminated against in comparison with other inhabitants of Ukraine, because people from this part of Ukraine are mostly engaged in different type of social and religious contacts with neighbouring countries and are conducting economical activity (mostly trade) in this border region.

In the first part of the report, we pointed out various consequences (economic, cultural, social, political) of open borders for the citizens of Lviv and Transcarpathia regions. The second part focused on respondents' opinion on the immediate and long-term effects of securing the borders.

The respondents expressed their opinions on: a) the advantages and disadvantages of securing the border; b) the direct conse-

quences; and c) predicting attitudes in Western Ukraine's border communities. In addition, respondents had various expectations of those directly or indirectly involved in new border policies.

Many demands were directed at the central authorities. Most importantly, respondents feared that the border may become a new "iron curtain", especially for Ukrainians. They want to make changes in the laws (administrative procedures, etc., both at central and local levels) that could determine possible ways for obtaining visas for Ukrainians to have a chance to go to Poland, Hungary, and the Slovak Republic (although it doesn't concern Slovakia to such a great extent), and vice-versa.

1. Respondents expected that obtaining visas would be easier if:

- New consulates were opened on both sides of the border. It is very difficult to go to Kyiv to receive visas. In order to simplify the process, they proposed to have consulates in Lviv and Uzhhorod.
- Easier procedures for obtaining visas. Preferably even visa exemptions for long-term cultural, educational, or charity cooperation.
- Special visas for people from border municipalities, i.e., multiple-entry visas.
- Special visas for strengthening and developing family relations. Special procedures for Ukrainian firms, companies, and individuals who work with Polish, Slovakian, and Hungarian companies, as well as firms and individuals that carry on legal economic, social, or cultural activity. Respondents stressed the need for easier procedures for all types of business activity, and especially for family businesses and small and medium-sized Polish enterprises.
- The visas shouldn't be expensive, especially for people who live close to the

Ukrainian-Polish and Ukrainian-Hungarian borders.

2. Respondents also expected local authorities in the border regions (it is not certain from which institutions, but in general) to do the following:

- Negotiate a “border package”, which will ease the consequences of the new border policy.
- Construct international bus and train stations.
- Improve local infrastructure and services.
- Ease local tax policies in order to interest foreign investors.
- Create laws and administrative procedures that would take into account the

financial status of companies and institutions interested in pursuing cross-border cooperation.

Respondents representing local authorities, businesses, and social and cultural centres usually didn’t talk about their defined expectations regarding the secured borders. They spoke about it in an indefinite way, which could be divided into optimistic and pessimistic. But none of the respondents identified more positive than negative aspects of this question.

Among the optimistic comments there were the following: 1) the border will be better secured and it will decrease the level of illegal activity; 2) the crises caused by the secured border and the decline of cross-border cooperation, will stimulate people who live there to do something else in order to survive.

Essential recommendations

We address our recommendations mainly to the following authorities:

- Central government, which makes laws governing border security and visa policy;
- To a lesser extent, local authorities (local government and local representation of central government), associations and organisations active in the western border region, as well as ordinary citizens.

Essential recommendations addressed at the central government concerned the following areas:

- Firstly, creation of a visa regime which would be mindful of the specific needs and interests of the border regions. Inhabitants of those areas should be privileged to receive cheap, multiple-entry visas which would facilitate economic, family, and cultural contacts;
- Secondly, creation of a visa regime which would favour cooperation between cultural and educational institutions on the two sides of the border;

Essential recommendations addressed at central and local (including local self-government) authorities concerned the following areas:

- Firstly, there should be developed a special economic program that would aim to decrease the level of unemployment in these border regions. This program should be directed at the reduction of losses connected with the secured borders. This program should be developed together with the representatives of local government and with the engagement of community leaders.

- Secondly, it touches more the central government, which should create additional positions for these regions in order to support their development through different types of activities—special economical zones, tax cuts, financial support.
- Thirdly, further the activity of active local businesses after the border becomes secured. Also, additional social and economical projects, which would improve the situation. It should be noted that attention will have to be paid to social and cultural relationships. The necessity of continuous support of the authorities for cross-border contacts of families and institutions should also be emphasised.

In our opinion, the above recommendations, especially those addressed at the central government, demand regular updates and corrections. In our opinion, this is pursuant to the necessity of adjusting the recommendations to fast-changing and often difficult to predict social circumstances.

Such corrections and adjustments require sufficient substantial preparation. Therefore, they should be based on systematically conducted research projects on all of the strategic dimensions (from the perspective of the policy to secure the western border) of the social life of entire local communities of the borderland, and not just of selected community leaders and representatives.

Hence, we address the following postulates at the national and local governments:

- We believe that central and local authorities should commission the preparation of forecasts of the social situation alongside the western border to qualified research institutions or research teams. The forecasts should be: a) short-term, concerning the situation in 2003; and

b) long-term, concerning also the situation in the region after Poland joins the EU.

- The goal of such research papers would be to compile an objective and methodologically correct comprehensive report on: prognosticated public feeling across a wide spectrum of local communities on the Ukrainian-Polish and Ukrainian-Hungarian borders (it should include different dimensions as social, political, economical and it should reflect people's attitudes towards those changes that are taking place at present).

- Research conducted by economists, demographers, and political scientists should cover issues of unemployment, underprivileged areas, and various types of social deviation in the borderlands of Western Ukraine.
- The research should be aimed at understanding social behaviour in the area, which would make it possible to predict social attitudes. We believe that researching selected opinion-leading groups would be the first step leading to research on larger social groupings.

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